

ORDER SHEET

IN THE HIGH COURT AT CALCUTTA
Civil Appellate Jurisdiction
ORIGINAL SIDE

IA NO: GA/1/2024
APOT/137/2024
WITH
EC/545/2019

DILIP MADHOGARIA & ANR.
VS
KOTAK MAHINDRA BANK LIMITED & ORS.

Before:
The Hon'ble Justice I. P. MUKERJI
And
The Hon'ble Justice BISWAROOP CHOWDHURY
Date: 16th April, 2024

Mr. Aritra Basu with
Mr. Patita Paban Bishwal, Advs.
for the appellants

Mr. Rohit Banerjee with
Mr. Himanshu Bhow Singhka, Advs.
for the respondents

Order in terms of prayer (a) of the stay petition.

We are in a position to dispose of this appeal dispensing with all formalities.

We dispose of this appeal by modifying the impugned judgement and order dated 22nd March, 2024 to the extent that the judgement debtor nos. 2 and 3 shall file their affidavit of assets before the Hon'ble First Court on or before 22nd April, 2024 and be present in court on that day awaiting any direction for their immediate examination or otherwise.

The stay application (GA/1/2024) is disposed of.

As affidavits were not invited, the allegations contained in the application are deemed not to be admitted.

(I. P. MUKERJI, J.)

(BISWAROOP CHOWDHURY, J.)