

ORDER SHEET

IN THE HIGH COURT AT CALCUTTA
Civil Appellate Jurisdiction
ORIGINAL SIDE

IA NO : GA 1 OF 2024
APOT 161 of 2024
WITH
EC No. 279 of 2019

BANAMALI SUR
Versus
ZENITH CREDIT CORPORATION AND ANR.

BEFORE:

The Hon'ble JUSTICE I.P. MUKERJI

And

The Hon'ble JUSTICE BISWAROOP CHOWDHURY

Date : 15th May, 2024.

Mr. Soumya Ray, Adv.
Ms. Reshmi Mukherjee, Adv.
Mr. Ashok Halder, Adv.
Mr. Promit Panda, Adv.
...For the appellant

Mr. PriyankarSaha, Adv.
Mr. PourushBandhyapadhyay, Adv.
Mr. Jaydeep Roy, Adv.
Mr. Paritosh Sinha, Adv.
Mr. Sourya Samanta, Adv.
...For the respondent

Mr. Amar Nath Sen, Adv.
Mr. Srijit Halder, Adv.
...For respondent no. 2

Dispensing with all formalities, the appeal is taken up for
hearing and disposed of by this judgment and order.

Banamali Sur, the appellant shall file his affidavit of assets in the department by 17th May, 2024, furnishing a copy thereof to Mr. Priyankar Saha's advocate on record.

Provided the appellant presents himself in court physically at least one hour before the 'Examination of judgment debtor matters' are likely to be called on by the court and reports such attendance to the advocate-on-record of the respondent/award-holder, the stipulation in the impugned judgment and order dated 16th April, 2024 that the police have to ensure his presence in court, shall remain in abeyance. If the appellant is in breach of this order the learned trial court may adjourn the examination of judgment-debtor matter and enforce the order dated 16th April, 2024 with full vigour.

The appeal (APOT 161 of 2024) and the stay application (IA NO : GA 1 of 2024) are accordingly disposed of, modifying the impugned judgment and order to the above extent.

(I. P. MUKERJI, J.)

(BISWAROOP CHOWDHURY, J.)

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