

IN THE HIGH COURT AT CALCUTTA
Ordinary Original Civil Jurisdiction
ORIGINAL SIDE

EC/379/2019
IA NO: GA/1/2023

KOTAK MAHINDRA BANK LIMITED
VS
KOTAK PARTHIV D AND ORS.

BEFORE:
The Hon'ble JUSTICE RAVI KRISHAN KAPUR
Date : 9th February, 2024.

Appearance:
Ms. S. Das, Adv.

The Court: Affidavit of Service filed on behalf of the award holder be kept with the records. It appears from the affidavit that the award holder has not been able to effect any service on the judgment debtors. The application has been pending since 2019 and despite repeated orders of Court and the decree holder has been unable to effect service.

In such circumstances, EC/379/2019 is dismissed by granting liberty to the award holder to file a fresh execution application in accordance with law if the circumstances so warrant and after ascertaining the exact particulars of the judgment debtors.

Liberty is also granted to the award holder to take back the original award after replacing of the same with a photocopy thereof.

All interim orders, stand vacated.

The warrants of arrest if any stand discharged.

GA/1/2023 also stands dismissed as infructuous.

(RAVI KRISHAN KAPUR, J.)