

OCD -22

ORDER SHEET

IN THE HIGH COURT AT CALCUTTA
COMMERCIAL DIVISION
ORIGINAL SIDE

AP-COM/8/2025
ADITYA BIRLA FINANCE LIMITED
VS
M/S RAKIB DRESSES AND ORS

BEFORE:

The Hon'ble JUSTICE SHAMPA SARKAR

Date: 30th July, 2025.

Appearance:

Mr. Amar Singh, Adv.

Mr. Ranjit Singh, Adv.

Mrs. Tutul Das Singh, Adv.

Mr. Pranit Biswas, Adv.

Ms. Zoya Khanum, Adv.

.... for the petitioner

The Court: Service has been effected upon the respondents and affidavit of service is taken on record.

Despite service, none appears on behalf of the respondents.

Considering the prima facie case of default and non-payment of huge dues to the petitioner, by order dated February 19, 2025 this Court had enjoined the respondents from alienating, encumbering and/or changing the nature and character of the property mentioned in the said order. The description of which is quoted below :

“All that piece and parcel of land lying situated at Mouza-North Shibgunj, J.L. No. 31 at present 26, Touzi No. 73 at present 1076 appertaining to C.S. Khatian No. 126, R.S. Khatian No. 763 corresponding to L.R. Khatian No. 1766 at present 2110 under R.S. & L.R. Dag No. 789/1009 under Police Station – Mathurapur, In District - 24 Parganas (South), 743 354.”

Although the respondents were given liberty to pray for variation, vacation and/or modification of the order of injunction passed earlier, no such prayer has been made.No one appears on behalf of the respondents even today.

Under such circumstances, this application is disposed of by extending the injunction over the said property for a further period of three months.

The petitioner shall invoke arbitration and pray for further interim order before the learned arbitrator.

(SHAMPA SARKAR, J.)