

OCD 5

ORDER SHEET
AP-COM/65/2024
IN THE HIGH COURT AT CALCUTTA
ORDINARY ORIGINAL CIVIL JURISDICTION
COMMERCIAL DIVISION

M/S CHOLAMANDALAM INVESTMENT AND
FINANCE COMPANY LIMITED
VS
FINIX HEALTHCARE AND ANR.

BEFORE:
The Hon'ble JUSTICE SHAMPA SARKAR
Date: 11th June, 2025.

Appearance:
Mr. Aritra Basu, Adv.
Mr. Ranjit Singh, Adv.
Mrs. Tutul Das Singh, Adv.
Mr. Amar Singh, Adv.
Mr. Pranit Biswas, Adv.
Ms. Y. Pramanik, Adv.
...for the petitioner

The Court:

1. This is an application for interim protections filed by the award-holder, with various prayers. The award-holder prays for an order upon the award-debtors to furnish security and seeks attachment of the bank accounts of the award-debtors, disclosure of movable and immovable assets, injunction on the award-debtors from alienating, encumbering or transferring its assets and appointment of a Receiver to take physical or symbolic possession of the assets to be disclosed by the award-debtors.

2. The award was made and published on November 7, 2023. The application was filed on January 19, 2024. At the relevant point of time, the period prescribed under the law to challenge an award had not expired. In view of some urgency, the application was filed for protections.
3. It appears to the Court that the petitioner can now proceed with the execution and similar prayers can also be made in the execution proceeding as it has been informed that the award-debtors have not yet filed any application challenging the said award.
4. Under such circumstances, the application is disposed of with the above observations.
5. Needless to mention, the execution case, if filed, will proceed on its own merits.

(SHAMPA SARKAR, J.)