

ORDER

OD – 2

IN THE HIGH COURT AT CALCUTTA
COMMERCIAL DIVISION
(CONTEMPT)
ORIGINAL SIDE

IA NO. GA-COM/2/2026

In

CC-COM/9/2025

M/S CHOLAMANDALAM INVESTMENT AND FINANCE COMPANY LIMITED

Vs

TANMOY BARAMAN AND ANR

BEFORE:

The Hon'ble JUSTICE SHAMPA SARKAR

Date: 11th June 2026

Appearance:

Mr. Ranjit Singh, Advocate

Mr. Amar Singh, Advocate

Ms. Tutul Das, Advocate

Ms. Subharchita Mukherjee, Advocate

... for the petitioner.

Re: GA-COM/2/2026

1. Despite service, none appears on behalf of the award-debtors.
2. GA-COM/9/2025 is an application for restoration of CC-COM/9/2025 which was dismissed for default on 12th March 2026. Considering the averments in paragraphs 6 and 7 of the application, the Court is satisfied that the applicant could not be present in Court when the matter was dismissed for default, due to unavoidable circumstances. CC-COM/9/2025 is restored to its original file and number. GA-COM/2/2026 is allowed.

Re: CC-COM/9/2025

3. The applicant is a finance company who seeks enforcement of the order dated April 11, 2025 passed in an execution case. A direction was passed

upon the award-debtors to pay the sum of money pursuant to a proposed settlement. The parties agreed that a sum of Rs.11,50,000/- shall be paid in three equal monthly instalments for satisfaction of the award. The proposed talks of settlement has failed. In my opinion, the proper remedy of the applicant would be to approach the Court before which the execution case is pending for further directions with regard to the properties, both movable and immovable, of the award-debtors and/or for other directions that are usually passed in case of execution of awards. The matter is pending before the bench having determination.

4. Accordingly, the contempt application is disposed of without any interference. Liberty is granted to the award-holder to proceed in accordance with law for execution of the award.

(SHAMPA SARKAR, J.)