

Hdfc Bank Ltd. Vs. Surendra Kumar Jaiswal

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Court : Kolkata

Decided On : Aug-06-2010

Judge : Indira Banerjee, J.

Appeal No. : CC No.95 of 2009

Appellant : Hdfc Bank Ltd.

Respondent : Surendra Kumar Jaiswal

Advocate for Def. : Mr. S. N. Pal, Sr. ; Mr. D. K. Singh, Adv.

Advocate for Pet/Ap. : Mr. Satarup Banerjee, Adv.

Judgement :

The Court : Notwithstanding the express direction of this Court directing the respondent No.1 to inform the petitioner of the location of the vehicle and also to make over possession of the vehicle to the learned Receiver at a time and place fixed by the learned Receiver the alleged contemnor did not inform the petitioner or the learned Receiver of the exact location of the vehicle.

A vague letter was written to the petitioner, stating that the asset was located at Jamda in the District Singhbhum and the contract persons were Mr. Sanjay Singh and Mr. Himangshu Seal. The addresses of the contact persons were not disclosed.

After the rule of contempt was issued, the contemnor wrote a letter disclosing two mobile numbers and stating that the vehicles could be inspected at Jamda near petrol pump.

The location of the petrol pump has not been given, nor the name of the oil company. The contemnor is deviously trying to overreach this Court. The orders of this Court have deliberately been flouted. The contemnor is in contempt.

This Court deems it fit to impose on the contemnor a fine of Rs.2000/- to be deposited with the Registrar, Original Side, of this Court failing which there will be a sentence of imprisonment. The contemnor shall immediately make over possession of the vehicles in question to the learned Receiver and in any case within 7(seven) days from date.

The petitioner shall personally accompany the learned Receiver to enable the learned Receiver to take possession of the vehicles in question. The contempt application is disposed of. The contemnor is personally present in Court.

Registrar, Original Side, and all parties are to act on a signed Photostat copy of this order on the usual undertakings.

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