

(2023) 01 UK CK 0087

Uttarakhand High Court

Case No: Appeal From Order No. 213 Of 2022

Director General, Uttarakhand
Medical Health And Family
Welfare, Uttarakhand & Another

APPELLANT

Vs

Ms. Rajbhara Medicare Pvt. Ltd.

RESPONDENT

Date of Decision: Jan. 13, 2023

Hon'ble Judges: Vipin Sanghi, CJ; Alok Kumar Verma, J

Bench: Division Bench

Advocate: M.C. Pande, Siddhartha Sah

Judgement

Vipin Sanghi, CJ

Urgency Application (IA No. 04 of 2023)

1. This application has been moved by the appellants to seek early hearing of the appeal, and for staying of the proceedings in the execution

proceedings preferred by the respondent before the Commercial Court.

2. Learned counsel for the appellants submits that the appeal was listed before the Court on 12.09.2022, when the same could not be taken up due to

paucity of time, and it was adjourned to 16.02.2023. In the meantime, the account of the appellant has been attached by the Executing Court, leading

to administrative difficulties. The respondent is seeking execution in respect of the interest amount of Rs.2,03,76,455.19.

3. We have heard learned counsels.

4. Subject to the appellants depositing fifty per cent of the said amount in this Court within five weeks, the execution proceedings shall remain stayed,

and the attachment of the account of the appellants shall remain suspended. Once the amount is deposited, the same shall be placed in a fixed deposit by the Registry.

5. Application stands disposed of, accordingly.

6. Urgent copy of this order be supplied to the learned counsel for the parties, during the course of the day, as per Rules.

7. List the appeal on 16.02.2023.