

Appellant Vs. Respondent

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SooperKanoon Citation : sooperkanoon.com/1061234

Court : Kolkata

Decided On : Mar-28-2012

Judge : Sanjib Banerjee

Appellant : Appellant

Respondent : Respondent

Judgement :

CA No.243 of 2012 CP No.303 of 2010 IN THE HIGH COURT AT CALCUTTA ORIGINAL JURISDICTION IN THE MATTER OF : M/S PRINTERS TRADERS PVT LTD -ANDIN THE MATTER OF : HDFC BANK LIMITED BEFORE: The Hon'ble JUSTICE SANJIB BANERJEE Date :

28. h March, 2012.

Appearance: Mr.Arif Ali, Adv.Mr.Saurav Mukherjee, Adv.The Court : This is an application seeking leave to advertise the winding-up petition.

By an order dated January 10, 2011 the Court found that the company was liable to pay a sum of Rs.5,60,000/- to the petitioning creditor with interest at the rate of 12 per cent per annum from March 23, 2010 till the date of the order and further interest on the principal sum and interest from the date of the order at the rate of 12 per cent till payment on reducing balance basis.

The company was permitted to pay off the amount in six equal monthly instalments beginning February, 2011 and payable by the seventh day of each relevant month.

In default of payment by the company, the petitioning-creditor was given liberty to apply for the formal admission of the winding-up petition.

In terms of the liberty given by the order dated January 10, 2011, CP No.303 of 2010 is admitted.

Since there has been default on the companys part in making payment in terms of the order dated January 10, 2011, advertisements may not be published in The Statesman.

and in Bartaman.

within a fortnight from date indicating that the matter will appear as a New Company Matter.

four weeks hence.

Publication in the Official Gazette will stand dispensed with.

CA No.243 of 2012 is disposed of without any order as to costs.

The advertisements, however, need not be published if the entire defaulted amount together with interest calculated in terms of the order dated January 10, 2011 is tendered by the company to the petitioning-creditor within a week from date.

Upon such payment, if there is any further default of payment on the companys part in terms of the order dated January 10, 2011, the directions for advertisements as contained herein will apply.

Urgent certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(SANJIB BANERJEE, J.) kc.

AR(CR)

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