

**Appellant Vs. Respondent**

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**SooperKanoon Citation :** [sooperkanoon.com/1061308](http://sooperkanoon.com/1061308)

**Court :** Kolkata

**Decided On :** Jul-26-2012

**Judge :** Nadira Patherya

**Appellant :** Appellant

**Respondent :** Respondent

**Judgement :**

ORDER

SHEET G.A.No.796 of 2012 A.P.No.448 of 2011 IN THE HIGH COURT AT CALCUTTA Ordinary Original Civil Jurisdiction HINDUJ.LEYLAND FINANCE LIMITED .Petitioner Versus RONIT NIRMAN PVT.LTD.& ANR.Respondents BEFORE: The Hon'ble JUSTICE PATHERYA Date :

26. h July, 2012.

Mr.Mainak Bose, Advocate, Mr.Arif Ali, Advocate and Mr.P.Srivastava, Advocate for the Petitioner.

Ms.Esha Banerjee, Advocate/Special Officer The Court : Report filed by the Receiver be kept on record along with the minutes of the meeting held on 24th July, 2012.

As the earlier biddeRs.Mr.Saroj Kumar Jaiswal and Mr.Vikram Agarwal are no longer interested in pursuing their respective offer, liberty was given by order dated 5th July, 2012 to the petitioner to identify a buyer by private treaty.

At the meeting held on 24th July, 2012, the petitioner has identified a purchaser for Rs.12,00,000/-.

Accordingly, as there is no better offer received than that of Vikash Agarwal, let sale of the subject asset in question be effected in favour of Vikash Agarwal for Rs.12,00,000/- and the sale is confirmed accordingly.

Mr.Vikash Agarwal is directed to make payment of the sum of Rs.12,00,000/- to the Receiver within a week from the date of receipt of this order.

The Receiver will be entitled to execute necessary documents of transfer in favour of the purchaser on receipt of payment and at the time of handing over possession of the asset in question.

The Receiver on handing over possession of the said asset in question shall discharge upon final payment of 300 G.Ms.It is made clear that the demand draft to be issued by the purchaser be in the name of the petitioner and the petitioner will be entitled to adjust the same in protanto satisfaction of its decretal dues.

With the aforesaid direction, this application is disposed of.

Receiver, Mr.Vikash Agarwal and all parties concerned are to act on a signed photocopy of this order on the usual undertakings.

(PATHERYA, J.) km AR(CR)

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