

Appellant Vs. Respondent

Appellant Vs. Respondent

SooperKanoon Citation : sooperkanoon.com/1118689

Court : Kolkata

Decided On : Jan-16-2014

Judge : Nadira Patherya

Appellant : Appellant

Respondent : Respondent

Judgement :

ORDER

SHEET IN THE HIGH COURT AT CALCUTTA Original Jurisdiction CP468OF 2009 BENGAL WATERPROOF LTD.AND MALVIKA SYNTHETICS (P) LTD.CP299OF 2010 BENGAL WATERPROOF LTD.AND JET AGE FINANCE PVT.LTD.CP311of 2010 BENGAL WATERPROOF LTD.AND KLASSIC APARTMENT PVT.LTD.CP11OF2011M/S.BENGAL WATERPROOF LTD.AND M/S.VISHWA ENTERPRISE CP12of 2011 M/S.BENGAL WATERPROOF LTD.AND M/S.TIRUPATI ENTERPRISES CP14OF2011M/S.BENGAL WATERPROOF LTD.AND SAVITA BHARTIA CP158OF 2011 BENGAL WATERPROOF LTD.AND M/S.CROMPTON INDUSTRIAL & CHEMICAL Co.CP566OF 2011 BENGAL WATERPROOF LTD.AND INDRAJIT BALL CP252OF 2012 BENGAL WATERPROOF LTD.AND ANSUYA J.

DOSHI CP238OF 2013 BENGAL WATERPROOF LTD.AND JAI BOTHRA (HUF) CP257OF 2013 BENGAL WATERPROOF LTD.AND ANITA BOTHRA CP258OF

2013 BENGAL WATERPROOF LTD.AND ANUJ BOTHRA
CP331OF2013M/S.BENGAL WATERPROOF LTD.AND SMT.

PAYAL SINGHANIA CA353OF 2013 WITH CP566OF 2011 BENGAL
WATERPROOF LTD.AND INDRAJIT BALL AND MAHESH TEA CHEST
CP391OF 2013 BENGAL WATERPROOF LTD.AND HITESH BABARIA AND
FAMILY, HUF CP404OF 2013 BENGAL WATERPROOF LTD.AND SHILPA
BABARIA BEFORE: The Hon'ble JUSTICE PATHERYA Date : 16th January,
2014.

Mr.Mainak Bose for Klassic Apartment Pvt.LTD.Mr.K.Shah for Manish Enterprises.

Mr.A.Kundu for petitioning creditor in CP2382013, CP2572013 and CP2582013
Mr.T.K.

Dey, Mr.Debsumya Basak for petitioning creditor in CP4682009.

Mr.Aniruddha Mitra for Jet Age Finance PVT.LTD.Mr.S.Dewanji, Advocate
appeaRs.Mr.Madhusudan Sarkar, Mr.Dipanjana Datta for applicant in CA3532013.

Mr.R.Tiwari for petitioning creditor in CP331of 2013.

Mr.D.N.

Sharma for the company.

The Court : Pursuant to the order passed in the fiRs.half Mr.Abhishek Bose is
present in Court and through Counsel seeks to make payment of the arrears plus
the current by 31st March, 2014.

Such prayer cannot be acceded to as some of the creditors have been kept at bay
since July-August,2013.

Accordingly, let the payment of arrears and current instalment be made in the
following manner : i) Two arrear payments along with the current instalment be
paid by 30th January, 2014.

ii) One arrear along with the current instalment for February, 2014 be paid by 27th February, 2014.

iii) The balance arrears along with the current instalment of March, 2014 be paid by 31st March, 2014.

These payments are directed in respect of those unsecured creditors covered by order dated 12th April, 2013 and those unsecured creditors whose names are mentioned in the schedule of payments handed to Court by the company in the month of May, 2013.

The order passed this day will also applicable to CA No.353 of 2013.

Matters to appear in the list on 6th February, 2014 as To Be Mentioned.

All parties to act on a photostat signed copy of this order on the usual undertakings.

(PATHERYA, J.) pa

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