

Appellant Vs. Respondent

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SooperKanoon Citation : sooperkanoon.com/1124415

Court : Kolkata

Decided On : Jan-31-2014

Judge : Nadira Patherya

Appellant : Appellant

Respondent : Respondent

Judgement :

ORDER

SHEET C.A.No.369 of 2013 C.P.No.39 of 2009 IN THE HIGH COURT AT CALCUTTA Original Jurisdiction IN THE MATTER OF : M/S.S.S.T.MEDIA P.

LTD.(IN LIQN.) BEFORE: The Hon'ble JUSTICE PATHERYA Date : 31st January, 2014.

Appearance Mr.D.Sen, Adv.Mr.Siddhartha Chatterjee, Adv.Ms.Suchismita Chatterjee (Ghosh).Adv.Mr.M.K.Seal, Adv.for R.P.Techvision (I) PVT.LTD.Mr.D.K.Singh, Dy.

O.L.appears The Court : Pursuant to sale notice dated 28th October, 2013, no offer has been received by the Official Liquidator.

The company in liquidation was directed to be sold as a going concern by an order dated 17th January, 2011, passed by the Supreme Court of India and the said sale

notice was to reflect the amounts spent by the present management of the company, namely, M/S.R.P.Techvision (I) Private Limited.

The amounts spent in post-liquidation period has been mentioned in the sale notice.

This day R.P.Techvision (I) Private Limited has made an additional offer of Rs.12 lakhs besides the amount which it has spent.

Therefore, the offered amount is Rs.42,58,30,557/-.

The said offer made is not substantial and is a mere eyewash.

Accordingly, let sale notice once again be published and advertised in news channels of Calcutta in English so also in Bengali.

Such direction is passed only to ensure that a better offer than that offered by R.P.Techvision (I) Private Limited, the present management, can be fetched.

Accordingly, the matter is made returnable eight weeks hence.

The only reason of not accepting the offer of R.P.Techvision (I) Private Limited is that the offered amount has not been placed before the Court but the amount placed is after making adjustments of sums which it has spent in post-liquidation period.

This cannot be accepted as to match the other offers that may come the offered amount of R.P.Techvision (I) Private Limited will have to be then looked into and compared.

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

(PATHERYA, J.) sg.

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