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**Vs. Sri Choudeshwari Associates Pvt. Ltd. and anr.Respondent/Ju**

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**SooperKanoon Citation : [sooperkanoon.com/1128630](http://sooperkanoon.com/1128630)**

**Court : Kolkata**

**Decided On : Feb-24-2014**

**Judge : Biswanath Somadder**

**Respondent : Sri Choudeshwari Associates Pvt. Ltd. and anr.Respondent/Ju**

**Judgement :**

ORDER

SHEET E.C.No.90 of 2014 IN THE HIGH COURT AT CALCUTTA Ordinary Original Civil Jurisdiction ORIGINAL SIDE SREI EQUIPMENT FINANCE LIMITED Versus Sr.CHOUDESHWARI ASSOCIATES PVT.LTD.& ANR.

Petitioner/Decree Holder Respondent/Judgement Debtors BEFORE: The Hon'ble JUSTICE BISWANATH SOMADDER Date : 24th February, 2014.

For Petitioner/Decree Holder : Mr.Swatarup Banerjee, Adv.This application has been taken out by the award holder praying, inter alia, for confirmation of the sale of assets in terms of prayer (b) of the tabular statement and also for direction upon the learned Receiver to hand over the sale proceeds to the petitioner in protanto satisfaction of the awarded amount in terms of prayer (d) of the tabular statement.

Perusing the present application it appears that an offer of Rs.30,00,000/- has been made by one, N.

Rajeeva in terms of his letter dated 20th December, 2013, being annexure J at page 79 of the present application.

It further appears that the offerer has also furnished a bank draft amounting to Rs.5,00,000/- in favour of the learned Receiver.

Considering the facts and circumstances of the instant case, there is no reason as to why the sale of the assets should not be confirmed in terms of prayer (b).As such there shall be an order in terms of prayer (b).After confirmation of sale of assets, the learned Receiver is directed to hand over the sale proceeds to the petitioner in protanto satisfaction of the awarded amount in terms of prayer (d) of the tabular statement.

For the purpose of carrying out the directions contained in this order, it shall be open to the learned Receiver to appoint an agent in such manner and in such terms as the learned Receiver may deem fit and proper.

The learned Receiver shall be entitled to a further remuneration of 1200 GMs., which he may deduct from the sale proceeds.

Let this matter appear under the same heading for further consideration three weeks hence.

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

(BISWANATH SOMADDER, J.) K.

Banerjee A.R.[C.R.].

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