

Vs. West Bengal State Electricity Transmissidefendan

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SooperKanoon Citation : sooperkanoon.com/1129048

Court : Kolkata

Decided On : Feb-24-2014

Judge : Asim Kumar Roy

Respondent : West Bengal State Electricity Transmissidefendan

Judgement :

ORDER

SHEET CS No.9 of 1996 With EOS No.10 of 2010 IN THE HIGH COURT AT CALCUTTA Original Jurisdiction ORIGINAL SIDE CROPMTON GREAVES LTD.Plaintiff Versus WEST BENGAL STATE ELECTRICITY TRANSMISSI ON Co.LTD.& ANR.

Defendant BEFORE: The Hon'ble JUSTICE ASIM KUMAR RAY Date : 24th February, 2014.

For Plaintiff For Defendant : Mr.Mr.Mr.Mr.: The parties.

Sabyasachi Chowdhury, Advocate R.K.Khanna, Advocate S.E.Huda, Advocate Anuj Singh, Advocate Mr.Tarun Kumar Ghosh, Advocate Court : Heard the learned Advocate for the Learned Advocate appearing for the plaintiff submits that the plaintiff has received the due amount but not within time.

It was a delayed payment and that is why the plaintiff has initiated the suit for interest.

Mr.T.K.

Ghosh, learned Advocate appearing for the defendant submits that the defendant has already paid the due amount but not within time.

If we go by the submission of the learned Advocate for the parties then it will appear that this matter may be disposed of by passing a simple order about the interest calculating it taking the payment made and the delay for making such payment.

Learned Advocate of the defendant submits that the matter may be listed on a future date so that he may take instruction from his client.

Mr.Chowdhury submits that in the meanwhile the issues may be framed.

If the matter is not disposed of on the next date, the matter may be proceeded with on the basis of the issues.

ISSUES

Considering the submissions of Both sides files suggested the learned Advocate of the parties, the following issues are framed : 1.

Is the plaintiff entitled to interest in terms of the promissory notes?.

2. If the plaintiff is entitled to interest in terms of the promissory notes then under what rate?.

Mr.Chowdhury handed over a chart showing payment.

Mr.Ghosh may take instruction from his client taking the said chart in mind.

Let the calculation and the suggested issues filed in Court be kept with the records of this case.

Let the matter appear on 17.3.2014.

(ASIM KUMAR RAY, J.) msen

