

Appellant Vs. Respondent

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SooperKanoon Citation : sooperkanoon.com/1139143

Court : Kolkata

Decided On : May-02-2014

Judge : Nadira Patherya

Appellant : Appellant

Respondent : Respondent

Judgement :

ORDER

SHEET CA No.578 of 2013 With CP No.289 of 2009 IN THE HIGH COURT AT CALCUTTA Original Jurisdiction IN THE MATTER OF: CARRITT MORAN & CO.PVT.LTD.(IN LIQN.) BEFORE: The Hon'ble JUSTICE PATHERYA Date : 2nd May, 2014.

MRS.Ruma Sikdar appears for Official Liquidator.

Mr.S.K.

Donraj, managing partner of the judgment debtor appeaRs.The Court : This day Mr.S.K.

Donraj, managing partner of the judgment debtor has appeared and is desirous of making payment of the decretal dues.

Till date a sum of Rs.12 lakhs is due and payable on account of arrears by the judgment debtor to the company (in liquidation).Accordingly, let a sum of Rs.6 lakhs be paid by the judgment debtor to the Official Liquidator who is now in control and management of the affairs of the company (in liquidation) by 15th May, 2014.The balance sum of Rs.6 lakhs on account of arrears be cleared by payment of Rs.1 lakh per month over a period of eight months, Rs.75,000/- be adjusted towards arrears and Rs.25,000/- towards current instalment.

Although thereafter the judgment debtor would be entitled to make payment of the decretal sum in instalment of Rs.25,000/- but this day the judgment debtor is desirous of increasing the instalment from Rs.25,000/- to Rs.50,000/- per month.

Accordingly, the instalment after the 8th instalment be paid at Rs.50,000/- per month till satisfaction of the decretal dues.

Needless to mention that the interest directed to be paid at 6% per annum be also paid by the judgment debtor.

In default of payment of any one instalment, the Official Liquidator will be entitled to proceed in terms of prayer (c) of the Letter for Direction.

In the event any expense is incurred by the Official Liquidator, there will be an order in terms of prayer (d) of the Letter for Direction.

In view of the aforesaid this Letter for Direction is disposed of Urgent certified photocopy of this order be supplied to the parties, if applied for, upon compliance of all requisite formalities.

(PATHERYA, J.) pa

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