

Appellant Vs. Respondent

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SooperKanoon Citation : sooperkanoon.com/1153486

Court : Kolkata

Decided On : Jun-27-2014

Judge : Nadira Patherya

Appellant : Appellant

Respondent : Respondent

Judgement :

ORDER

SHEET CA No.301 of 2014 With CP No.553 of 1998 IN THE HIGH COURT AT CALCUTTA Original Jurisdiction ORIGINAL SIDE IN THE MATTER OF : MAYFAIR NURSING HOME PVT.LTD.(IN LIQN.) BEFORE: The Hon'ble JUSTICE PATHERYA Date : 27th June, 2014.

Mr.Shamba Chakraborty, Advocate for Simran Enterprise.

Mr.Ravi Kumar Verma appears in person for Kala Furniture.

Mr.D.K.

Singh, Deputy Official Liquidator appearRs.The Court : Two offers were received for sale of movable assets of the company (in liquidation).The bidders are Kala Furniture and Simran Enterprise.

While Kala Furniture initially made an offer of Rs.1,35,100/- Simran Enterprise made an offer of Rs.1 lakh and on basis of initial offer the earnest money has been deposited with the Official Liquidator.

On this day, each of the parties raised their respective bids and the last offered price of Kala Furniture is Rs.4.02 lakhs while that of Simran Enterprise is Rs.4.01 lakhs.

As the offer of Kala Furniture of Mahestala of Premises no.G-3, 124/363/2, B.T.Road, Mahestala, exceeds the offered price of Simran Enterprise, sale in favour of Kala Furniture for the movable assets of the company (in liquidation) is confirmed at Rs.4.02 lakhs.

Let the cheque issued on account of earnest money be encashed by the Official Liquidator and the balance sum of Rs.3.72 lakhs be paid by Kala Furniture to the Official Liquidator within a week from the date of receipt of this order.

On receipt of the balance sum, the Official Liquidator will forthwith hand over possession of the movable assets to the successful bidder.

In default of payment of sums by the successful bidder, intimation be given to Simran Enterprise.

The matter will appear in the list on July 11, 2014.

Let the earnest money of Simran Enterprise be not returned till July 11, 2014.

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

(PATHERYA, J.) pa/tk

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