

Mic Electronics Ltd and anr. Vs. Srei Equipment Finance Ltd

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Court : Kolkata

Decided On : Aug-21-2014

Judge : Bench

Appellant : Mic Electronics Ltd and anr.

Respondent : Srei Equipment Finance Ltd

Judgement :

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ORDER

SHEET GA No.2308 of 2014 APOT No.378 of 2014 EC No.179 of 2014 IN THE HIGH COURT AT CALCUTTA Civil Appellate Jurisdiction ORIGINAL SIDE MIC ELECTRONICS LTD & ANR.

Versus SREI EQUIPMENT FINANCE LTD GA No.2309 of 2014 APOT No.379 of 2014 EC No.180 of 2014 MIC ELECTRONICS LIMITED & ANR -VSSREI EQUIPMENT FINANCE LIMITED.

BEFORE: The Hon'ble CHIEF JUSTICE MRS.MANJULA CHELLUR The Hon'ble JUSTICE BANERJEE Date : 21st August, 2014.

Appearance: Mr.Jishnu Chowdhury, Mr.Chayan Gupta, Mr.Surajit Sen and Ms.Nairita Dutta Chowdhury, Ld.

Advocates for the appellant.

Mr.Utpal Bose, Mr.Kausik Chatterjee and Mr.Ruby Joiswal, Id.

Advocates For the respondent.

The Court :- This appeal would arise out of an order passed in Execution Application appointing Joint Receivers to take possession of the assets which have been let on hire by the respondent to the appellant.

The appellant would territorial contend, jurisdiction this to Court would entertain not such have any execution application.

On the last occasion we asked the appellant to file an affidavit disclosing the whereabouts of the assets.

Accordingly, an affidavit has been filed.

Upon hearing the rival contentions, we feel, the issue raised by the appellant should be gone into at the final hearing of the appeal.

We, thus, expedite the hearing of the appeal.

Since appears for Mr.the Utpal sole Bose, learned respondent, senior service of Counsel notice of appeal upon the sole respondent is dispensed with.

The appellant is directed to file requisite number of informal paper books incorporating all papers and documents used before the learned Single Judge within two weeks from date.

As soon as the paper book is filed, place it for hearing.

In default, place it for final order.

Heard the parties on interim protection.

We also heard the issue on the controverRs.as regards jurisdiction.

The learned matters to Judge act appointed jointly.

two We Receivers would ask Mr.in both Souma the Roy, Advocate, to act as sole Receiver in EC No.180 of 2014 whereas Mr.Avik Sengupta, Advocate, would act as Receiver in EC No.inventory 179 of of all 2014.

the The assets Receivers upon would notice to make both an the parties.

However, he would not take physical possession of the same until we hear and dispose of the appeal.

Accordingly, GA No.2308 of 2014 and GA2309of 2014 are disposed of without any order as to costs.

(MANJULA CHELLUR,CJ.) (BANERJEE, J.) dg/

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