

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

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Court : Kolkata

Decided On : Sep-26-2014

Judge : Bench

Appellant : Mic Electronics Ltd and anr.

Respondent : Srei Equipment Finance Ltd.

Judgement :

IN THE HIGH COURT AT CALCUTTA Civil Appellate Jurisdiction ORIGINAL SIDE
GA 3132 OF2014WITH APO300of 2014 EC179of 2014 MIC ELECTRONICS LTD
& ANR.

Versus SREI EQUIPMENT FINANCE LTD.GA3133of 2014 WITH APO301of 2014
EC180of 2014 MIC ELECTRONICS LTD & ANR.

Versus SREI EQUIPMENT FINANCE LTD.BEFORE: The Hon'ble CHIEF
JUSTICE MRS.MANJULA CHELLUR The Hon'ble JUSTICE BANERJEE Date :
26th September, 2014.

Mr.S.N.Mookherjee, Sr.Advocate Mr.Utpal Bose, Sr.Advocate Ms.Anna Malhotra,
Advocate Mr.Kaushik Chatterjee, Advocate Ms.Ruby Jaiswal, Advocate for
appellants Mr.Jishnu Chowdhury, Advocate Mr.Chayan Gupta, Advocate
Mr.S.Sen, Advocate Ms.Narita Datta Chowdhury,Advocate for respondents The
Court :- There will be orders in terms of prayers (a) and (b).This Court on earlier
occasion by an order dated 21st August, 2014 directed Mr.Soumya Roy, Advocate

to act as Sole Receiver in EC180of 2014 and also Mr.Avik Sengupta in EC179of 2014 to make inventory of all the assets upon notice to both the parties.

This order came to be made only on the basis of an affidavit filed by the respondent indicating the assets available and the place of assets so that an inventory could be made by the respective Receivers in both the execution cases.

However, now it reveals after the list furnished by the respondent some of the important assets were not available as noticed by the Receivers and, therefore, the applicants apprehend that other items may also be removed from the site in order to frustrate the decree which is already in favour of the applicants.

In that view of the matter we direct Mr.Soumya Roy, Advocate the Sole Receiver in EC180of 2014 and Mr.Avik Sengupta, Sole Receiver in EC179of 2014 to take possession of the assets available now at the site as indicated in their report and submit the report by next date of hearing.

However, receiver shall not deal with the property in any manner until further orders except taking possession of the goods.

The Receivers are at liberty to take assistance of the police, if necessary, while executing the order.

The applications being GA3132of 2014 and GA3133of 2014 are disposed of.

List the appeals one week after the puja vacation.

(MANJULA CHELLUR, C.J.) (BANERJEE, J.) GH.

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