

12-04-2021
Item no. 3
Subrata

IN THE HIGH COURT AT CALCUTTA
Civil Appellate Jurisdiction
Appellate Side

MAT No.759 of 2020
Rashmi Metaliks Limited & Anr.
-vs-
Union of India & Ors.

Mr. S.N. Mookherjee, sr. adv.
Mr. Rajesh Kumar Gupta, adv.
Mr. Meghajit Mukherjee, adv.
Ms. Shivangi Thard, adv.
Mr. R. Agarwal, adv. ...for the appellants

Mr. S.N. Mitra, sr. adv.
Mr. Swarajit Dey, adv.
Mr. Akhil Sacher, adv.
Mr. Subhadeep Basak, adv. ...for MMTC

Mr. Deepak Kumar Singh, adv.
Ms. Meenakshi Singh, adv. ...for the UOI

Learned counsel for the parties have been fair. On their suggestion we are in a position to dispose of the appeal by the following order.

The advocate-on-record for the appellants shall make over to his clients the sum of Rs.27,12,61,738/- along with all accrued interest thereon deposited with him in terms of our earlier order after encashing the term deposit by 20th April 2021.

Mr Mookherjee, learned senior advocate for the appellants, submits that his clients may make a claim for additional interest, and that point should be kept open.

Mr Mitra, learned senior advocate for MMTC, submits that this subject matter was not in the writ petition and should not be entertained by the court.

We order that upon compliance with the above payment order, the appellants shall have no further claim

against the respondents in respect of the cause of action which is the subject matter of the writ application and the appeal therefrom, except their claim for additional interest which is kept open subject to its maintainability, before the proper legal forum.

In view of the above, the appeal and the writ application (WPA No.5434 of 2020) are disposed of.

[I.P. Mukerji, J]

[Md. Nizamuddin, J]