

## IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

TUESDAY, THE 02ND DAY OF NOVEMBER 2021

THE MASTER

A.No.3696 of 2021

in

E.P.No.42 of 2018

**E.P.No.42 of 2018**

M/s. Reliance Industries Limited  
 Chennai Regional Office  
 New No.626 (Old No.501)  
 JVL Plaza, 5<sup>th</sup> Floor, Anna Salai,  
 Teynampet, Chennai – 600 018.  
 (Indian Petrochemical Corporation  
 had been taken over by  
 RIL as per the Order of Amalgamation  
 dated 16.08.2007  
 Passed in C.P.No.93 of 2007).

... Decree Holder/Plaintiff

-Vs-

1. M/s. Samna Enterprises  
 Registered Office  
 41, Maddox Street  
 Choolai, Chennai – 600 112.
2. Mr Jaffar Raza  
 Partner,  
 M/s. Samna Enterprises  
 1-A, Marble Arch  
 5 & 6, Bishop Wallers Avenue  
 Mylapore, Chennai – 600 004.
3. Mrs. Husnara Raza  
 Partner,  
 M/s. Samna Enterprises  
 1-A, Marble Arch  
 5 & 6 Bishop Wallers Avenue,  
 Mylapore, Chennai – 600 004.

... Judgment Debtors/Defendants

**Appln.No.3696 of 2021**

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 Chennai Regional Office  
 New No.626 (Old No.501)  
 JVL Plaza, 5<sup>th</sup> Floor, Anna Salai,  
 Teynampet, Chennai – 600 018.  
 Regional Office,  
 No.89, Dr.Radhakrishnan Salai,  
 Mylapore, Chennai – 600 004.  
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... Respondents/Respondents/Judgment Debtors/Defendants

Application praying that this Hon'ble Court be pleased to direct the payment out of the amount of Rs.28,79,248/- (Rupees Twenty Eight Lakhs Seventy Nine Thousand Two Hundred and Forty Eight and Paise Eight only) to the petitioner.

This application coming on this day before this Court for hearing, in the presence of Mr.C.A.Diwakar, advocate for the applicant herein and upon reading the Master Summons and the affidavit of John Schilu and the certificate of funds filed herein and **it is ordered :-**

That the Registrar General of this Court do pay a sum of Rs.28,79,248.08 (Rupees Twenty Eight Lakhs Seventy Nine Thousand Two Hundred and Forty Eight and paise eight only) now in Court deposit standing to the credit of E.P.No.42 of 2018 to Reliance Industries Limited, the applicant herein and issue a cheque therefor in their favour.

WITNESS THE HON'BLE MR.JUSTICE SANJIB BANERJEE  
CHIEF JUSTICE, HIGH COURT AT MADRAS AFORESAID, THIS THE  
02ND DAY OF NOVEMBER 2021.

Sd/-

ASSISTANT REGISTRAR (O.S.II)

//Certified to be true copy//

Dated at Madras this the       day of       2021.

COURT OFFICER(O.S.)

From 25th Day of September 2008 the Registry is issuing certified copies of the Orders/Judgments/Decrees in this format.

ED

15.11.2021

A.No.3696 of 2021  
in  
E.P.No.42 of 2018

ORDER:

DATED: 02.11.2021

THE MASTER

FOR APPROVAL: 16/11/2021

APPROVED ON : 16/11/2021

Copy To :-

1. The Registrar General,  
High Court, Madras.
2. Accounts Section.

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This Application coming on this day before this court for hearing,  
the court made the following order:-

1. This application is filed by the applicant/decreed holder for payment out of the amount of Rs.28,79,248.08, which is deposited into the credit of this E.P.No.42 of 2018.

2. The suit was decreed on 27.09.2006 for Rs.90,02,685.02 with subsequent interest. The Decree Holder to realize the decreetal amount, filed E.P.No.226 of 2008 to attach the shares belonging to the Judgment Debtors which stood in the hands of custodian and obtained a direction to sell the shares and to deposit the money into the credit of E.P.No.226 of 2008. Accordingly, the shares were sold and Rs.10,15,480/- was realized for decreetal amount.

3. Thereafter, the Judgment debtor was allotted with bouns shares which stood in the hands of custodian. Therefore for the balance amount,

the decree holder filed this E.P.No.42 of 2018 seeking attachment and sale of bonus shares. Accordingly, the shares were attached and sold by the Garnishee and the amount of Rs.28,79,248.04 were deposited by the Garnishee into the credit of E.P.No.42 of 2018. Now, the Decree Holder wants to realize the balance decretal amount by way of taking out this money deposited into the credit of this execution petition.

4. This is only a consequential order. Already order was passed to sell the shares and deposit the amount into the credit of this execution petition and accordingly deposited. The decree holder is entitled to realize the decretal amount which has been already deposited into the credit of this execution petition. Therefore, the applicant is permitted to take payment out and accordingly this petition is allowed.

Sd./- MASTER  
02.11.2021

//Certified to be true copy//

Dated at Madras this the      day of      2021.

COURT OFFICER(O.S.)

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