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28.09.2021
Ct. No 550
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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 14582 of 2022

Prabir Ghosh @ Probir Ghosh.
Vs.
The State of West Bengal & Ors.

Mr. R. Guha Thakurta
Ms. Senjuti Sengupta,
Ms. Dipa Roy
...For the petitioner.

Mr. Susovan Sengupta,
Mr. Srikanta paul
....For the State/respondent No. 4

Ms Amrita pandey,
Ms. Sneha Singh.
...For the respondent No. 5.

Pursuant to order dated 14th September, 2022 Ms. Pandey, learned advocate has handed over a demand draft for a sum of Rs.75,000/- only drawn in favour of the Probir Ghosh dated 28th September, 2022. The petitioner is personally present in court and accepts the said demand draft. The respondent No. 5 has complied with the directions passed by this court on 14th September, 2022.

Ms. Pandey, learned advocate renews her prayer for making payment of the balance amount of Rs. 2,81,163/- by way of installments.

Ms. Sengupta, learned advocate appearing for the petitioner objects to the payment of the balance sum by way of installments/ She, however, submits that she is not standing in the way of the respondent No.5 making payment of the balance dues. I have considered the

submissions made by the advocates appearing for the respective parties.

Taking into consideration the financial crisis suffered by respondent no.5 I permit the respondent no.5 to make payment of the balance sum of Rs. 281163/- which is due and payable to the petitioner by way of four monthly installments. The first of such installment must be paid on or before 28th October, 2022 and the three other installments should be paid on or before 28th of each succeeding month till the entire due is cleared off. The aforesaid payments are to be made by way of demand drafts/Banker Cheque drawn in the name of the petitioner.

In so far as payment of compound interest is concerned, the same shall be considered by the certificate officer after giving an opportunity of hearing to the respondent No. 5 and the petitioner in accordance with law.

It is expected that the aforesaid process shall be completed by the certificate officer within a period of six month from date.

With the aforesaid observations and/or directions the writ application being No. 14582 of 2022 stands disposed of.

(Raja Basu Chowdhury, J.)