

OD-2

ORDER SHEET

EC/88/2022
IA NO: GA/1/2022
IN THE HIGH COURT AT CALCUTTA
Ordinary Original Civil Jurisdiction
ORIGINAL SIDE

SHUBH KARAN BAJAJ
Versus
CHITTAVALSAH JUTE MILLS LIMITED

BEFORE:

The Hon'ble JUSTICE AJOY KUMAR MUKHERJEE

Date : September 26, 2022.

Appearance:
Mr. Purnasish Gupta, Adv.
Mr. Jayanta Kumar Mukherjee, Adv.
...for the plaintiff-decree-holder

Mr. Rajarshi Dutta, Adv.
Mr. V. V. V. Sastry, Adv.
Mr. Debjyoti Saha, Adv.
...for the judgment-debtor

The Court: In the suit filed by the plaintiff the defendant suffered a decree for a sum of Rs.14,03,174/- along with interest at the rate of 8% per annum from the respective date of the bills. The plaintiff preferred the present execution application wherein the plaintiff has claimed a sum of Rs.38,17,38,400/- comprising a sum of Rs.14,03,174/- on account of the decretal sum and a sum of Rs.24,12,210/- on account of interest at the rate of 8% upto December 31, 2021.

During pendency of the execution application, the parties have amicably settled their disputes and differences on the following terms:

1. The defendant has agreed to pay a sum of Rs.23,50,000/- towards full and final settlement of the decretal sum and the plaintiff has agreed to such figure.
2. Out of the said sum of Rs.23,50,000/-, the defendant has already paid a sum of Rs.5,00,000/- on 21st June, 2021 and now, it is agreed between the parties that the remaining sum of Rs.18,50,000/- would be payable by the judgment-debtor through RTGS as per following schedule:

<u>Instalment No.</u>	<u>Date of Payment</u>	<u>Amount (Rs.)</u>
First Instalment	7 October 2022	6,15,000/
Second Instalment	15 November 2022	6,15,000/
Third Instalment	15 December 2022	6,20,000/

3. The defendant undertakes to effect payment of the aforesaid outstanding amount as per the payment schedule. Upon default in making payment by the judgment-debtor, the decree-holder would be at liberty to revive the execution application.

In view of the above, the execution application being EC No. 88 of 2022 is disposed of.

All connected applications related to this matter are also disposed of.

(AJOY KUMAR MUKHERJEE, J.)