

OCD 1

ORDER SHEET

APOT/85/2023
WITH
AP/593/2022
IA NO:GA/1/2023

IN THE HIGH COURT AT CALCUTTA
CIVIL APPELLATE JURISDICTION
COMMERCIAL DIVISION

SKBM MINING PROJECT PVT. LTD.
VS
TATA CAPITAL FINANCIAL SERVICE LIMITED AND ANR.

BEFORE:

The Hon'ble JUSTICE SOUMEN SEN
AND
The Hon'ble JUSTICE UDAY KUMAR

Date: 20th June, 2023.

Appearance:
Mr. Rupak Ghosh, Adv.
Mr. Vivek Basu, Adv.
Mr. Arindam Paul, Adv.
...for the appellant

Mr. Avishek Guha, Adv.
Ms. Akansha Chopra, Adv.
Ms. Debarati Das, Adv.
Ms. A. Dutta, Adv.
...for the respondents

The Court: The learned counsel for the appellant submits that the appellant matches with the offer of the highest bidder and he is, thus, entitled to possession of the said vehicle. Since the petitioner has paid a sum of Rs.20.50

lakhs being the highest offer received, the vehicle shall be returned to the appellant within 72 hours under the supervision of the Receiver and the condition of the vehicle shall be assessed by the parties in presence of the Receiver. For all other directions that may be required, the matter may be considered by the learned Single Judge before whom the proceeding is pending. The Receiver shall also file a report before the learned Single Judge.

The appeal and the application stand disposed of.

(SOUMEN SEN, J.)

(UDAY KUMAR, J.)