

IN THE HIGH COURT AT CALCUTTA
Original Jurisdiction
ORIGINAL SIDE

IA NO. CA/1/2023
In CP/499/2016

IN THE MATTER OF: VIKRANT REFRIGERATION PVT. LTD.
-ANDVs
GAURI SHANKAR GUPTA –VSVIKRANT REFRIGERATION PVT LTD

BEFORE:

The Hon'ble JUSTICE RAVI KRISHAN KAPUR

Date : 17th May, 2023

Appearance:

*Ms. Priyanka Gope, Adv.
..for petitioning creditor*

*Miss. Susrea Mitra, Adv.
Mr. Kallol Saha, Adv.
Mr. Akash Ghosh, Adv.
..for the company*

The Court:- This is an application for recalling of an order dated 19th January, 2023. The application was dismissed for default.

Heard the submissions made on behalf of the parties. I am satisfied that there are cogent and sufficient grounds as to why the order dated 19th January, 2023 should be recalled.

Accordingly, the order dated 19th January, 2023 stands recalled.

CP/499/2016 stands restored to its original file.

By consent of the parties, the matter is treated as on Day's List.

By an order dated 18th July, 2016, the winding up petition was admitted for a sum of Rs.1.91 lakhs. There has been no appeal against this order. Pursuant to the said order, the petitioning creditor has also published advertisements.

By consent of the parties, the matter stands finally settled by directing the company to pay an aggregate sum of Rs.1 lakh to the petitioning creditor in full and final settlement of its claim. The said sum would be paid in ten monthly installments of Rs.10,000/- each. In default of any single instalment, the company shall pay interest @ 18 per cent per annum on the entire balance amount to the petitioning creditor.

Liberty to apply.

With the aforesaid directions, CP/499/2016 stands disposed of.

(RAVI KRISHAN KAPUR, J.)