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IN THE HIGH COURT AT CALCUTTA
ORIGINAL JURISDICTION
ORIGINAL SIDE

CP/384/2012
IA NO: CA/8/2021

IN THE MATTER OF : CENTOM INDUSTRIES LTD –AND
VS
IN THE MATTER OF : QVC EXPORTS PVT. LTD

BEFORE:

The Hon'ble JUSTICE RAVI KRISHAN KAPUR

Date : 2nd February, 2023.

Appearance:

Mr. Ratnanko Banerjee, Sr. Adv.

Mr. Kuldip Mullick, Adv.

Mr. Suvam Sinha, Adv.

Ms. T. Bhattaharya, Adv.

...for applicant.

Mr. Abhishek Banerjee, Adv.

Ms. Parna Roy Choudhury, Adv.

Ms. Payel Ghosh, Adv.

...for Punjab National Bank.

Mr. Soham Kumar Roy, Adv.

Mr. Rahul Kumar Singh, Adv.

...for India Carbon Limited.

Mr. Ranajit Chowdhury, Adv.

...for O/l.

The Court:- By an ad interim order dated 18 November, 2022, this Court had granted an order in terms of prayers (a) and (c) of the Judge's Summons.

This is an application inter alia for stay of the winding up order dated 17 July, 2014. It transpires that all the creditors save and except one India Carbon Limited have been paid and their claims have been satisfied in full and final settlement.

The Status Report filed on behalf of the Official Liquidator also reflects that there are no other financial obligations of the company (in liquidation) whatsoever save and except the dues of India Carbon Limited.

On behalf of India Carbon Limited (an unsecured creditor) it is submitted that there total dues aggregate to Rs.28,14,168/-.

It is fairly submitted on behalf of the applicant that the entire dues of the India Carbon Limited be paid by within a reasonable period of time.

In view of the submissions made on behalf of the parties, the applicant is directed to pay an amount of Rs.30 lakhs to India Carbon Limited in full and final settlement of their dues within a period of 15 days from date.

In default, liberty is granted to India Carbon Limited to take appropriate steps in accordance with law.

In view of the Report filed on behalf of the Official Liquidator and the fact that there are no other claims in respect of the company (in liquidation) no purpose would be served in keeping this proceeding pending.

CA/8/2021 stands disposed of by confirming the ad interim order dated 8 November, 2022.

CP/384/2012 stands disposed of accordingly.

(RAVI KRISHAN KAPUR, J.)