

OCD-9

ORDER SHEET
IN THE HIGH COURT AT CALCUTTA
Ordinary Original Civil Jurisdiction
ORIGINAL SIDE
(Commercial Division)

AP/712/2023

M/S SRI GANESH ENGINEERING WORKS
VS
UNION OF INDIA AND ORS

BEFORE:

The Hon'ble JUSTICE MOUSHUMI BHATTACHARYA

Date : 8th December, 2023.

Appearance:

Mr. Amitava Ghosh, Adv.
Mr. Sourav Chatterjee, Adv.
...for the petitioner

Mr. Nandalal Singhania, Adv.
Ms. Oisani Mukherjee, Adv.
...for the respondent nos. 1 to 3

The Court: By an order dated 11th October, 2023, an empanelled Valuer was appointed to visit the site where the petitioner claimed that the petitioner's material/equipments are presently lying and make an inventory of the same together with a valuation of the material. The Valuer's Report has since been filed before the Court. The Report states that the material is presently valued Rs.1,57,49,731/- as on 20th November, 2023. The Report further states that the material, most specifically construction machineries and other such material, are presently lying somewhere between Suri and Durgapur.

Learned counsel appearing for the petitioner seeks an order for sale of this material which always belonged to the petitioner.

Learned counsel appearing for the respondent Railways submits that the respondent has engaged another contractor and that the respondent has no use for these machineries/ equipments.

Having regard to the submissions made on behalf of the parties, AP/712/2023 is disposed of by permitting sale of the machineries/equipments, details whereof would appear from Annexure-III of the Valuer's Report.

Both the parties before the Court shall ensure that the order is implemented without any further delay or obstruction.

(MOUSHUMI BHATTACHARYA, J.)

T.O.
A.R.(C.R.)