

OCD-3

ORDER SHEET

IN THE HIGH COURT AT CALCUTTA  
Ordinary Original Civil Jurisdiction  
ORIGINAL SIDE  
[Commercial Division]

CS /20/2015

P.C. CHANDRA & SONS (INDIA) PVT LTD.  
VS  
UNION BANK OF INDIA

BEFORE:

The Hon'ble JUSTICE KRISHNA RAO

Date : April 09, 2024.

Appearance:

Mr. Ranjan Bachawat, Sr. Adv.  
Mr. Ankit Dey, Adv.  
...for the plaintiff

Mr. Ranojit Chowdhury, Adv.  
Ms. Aparupa Chakraborty, Adv.  
...for the defendant.

The Court: Mr. Ranjan Bachwat, learned Senior Counsel, is appearing for the plaintiff and Mr. Ranojit Chowdhury, learned Counsel, is appearing for the defendant.

The matter is listed today as "To Be Mentioned" for correction in the judgment dated 2<sup>nd</sup> February, 2024. Counsel for the plaintiff submits that by passing the judgment, this Court has not included the service tax which the plaintiff is entitled.

Accordingly, a proposal was given to the learned Counsel for the defendant and in reply the defendant, Union Bank of India, has submitted a details wherein the bank has admitted that Rs,1,55,641/- is required to be paid as service tax.

The plaintiff is agreed to accept the service tax as calculated by the defendant bank.

In view of the above, the judgment dated 2<sup>nd</sup> February, 2024 at page 19 paragraph (g) be included as follows :

(g) The defendant bank is directed to pay the service tax of Rs.1,55,641/- to the plaintiff.

Counsel for the defendant bank has handed over the calculation chart containing three pages wherein the bank has calculated the total amount that is the mesne profit as well as the service tax amounting to Rs.16,33,459/- which is required to be paid by the defendant bank to the plaintiff and the said amount includes the interest as on date.

Accordingly, the defendant bank is directed to pay Rs.16,33,459/- being the total amount including the interest and the service tax to the plaintiff within eight weeks from date.

This order may be incorporated with the judgment dated 2<sup>nd</sup> February, 2024. It is also informed by the Counsel for the respective parties that in the first page of the judgment in the cause title, the name of the defendant is wrongly recorded as 'Union of India' instead of 'Union Bank of India'.

Thus, in the cause title the name of the defendant shall be read as 'Union Bank of India'.

(KRISHNA RAO, J.)