OC-7

ORDER SHEET

CS-COM/531/2024
[Old No.CS/155/2023]

IN THE HIGH COURT AT CALCUTTA
Ordinary Original Civil Jurisdiction
ORIGINAL SIDE

[Commercial Division]

LIFELINE VINCOM PVT LTD
VS
NIL KANTHA SAHA

BEFORE:
The Hon'ble JUSTICE KRISHNA RAO
Date : September 02, 2024.

Appearance:
Mr. Rohit Banerjee, Adv.
Ms. Kanchan Jaju, Adv.
Mr. S. Kr. Agarwal, Adv.
... for the plaintiff

The Court: Mr. Rohit Banerjee, learned Counsel, is appearing for the plaintiff.

The matter is listed as “To Be Mentioned” on the prayer made by the Counsel for the plaintiff for correction in the judgment dated 9th August, 2024.

In page No.2 paragraph No.4 line No.5 the word shall be read as “defendant” instead of “defendant’s director share”, paragraph No.5 line No.4 the word “company”, paragraph No.6 line No.2 the word “after deduction of TDS”, page No.3 line No.2 the word “Rs.22,500/- plus TDS at the rate of 10%, i.e. Rs.2,500/- aggregating to” and in page No.4 line No.1 the word “read with Section 141” be deleted. In page No.5 paragraph No.14 line No.5 the word “money receipt executed by one of the partners of the defendant" shall be deleted and shall be read as "RTGS instruction form plaintiff". In page No.6 Line No.1 the word "by" be deleted and the word "to" be added and the word "defendants" shall be read as "defendant", in line No.2 "Exhibit-4" shall be read as "Exhibit-2", in paragraph 15 the date "2nd November, 2022" shall be read as "20th June, 2022", in paragraph No.16 line No.4 "Clause-7" shall be read as "Clause-1". In the same paragraph "clause 7 and 10" shall be read as "Clause 10 and 14". Sub-paragraph "Clause-7 and 10" shall be replace as "Clause 10 and 14" which reads as follows:

"10. To advance out of the surplus fund of the Company not immediately required, securities and property with or without security as may be thought proper, to such persons, companies, corporations or firms and on such terms as may seem expedient and in particular to customers and others having dealings with the Company and to release or discharge any debt or obligation owing to the Company.

14.To invest any money of the Company out of the surplus fund of the Company not immediately required, not for the time being required for any of the purposes of the Company in such manner as may be thought proper."

In page No.7 paragraph No.18 line No.1 "Clause-7" shall be read as "Clause-1", line No.8 the words "money receipt" be deleted and shall be read as "confirmation of accounts" and the word "one of the partner of" be deleted, line No.9 the word "company" be deleted. In page No.8 paragraph No.21 line No.9 it should be "cost" instead of "cist".

This order may be incorporated in the judgment dated 9th August, 2024.

(KRISHNA RAO, J.)

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