

OCD 9

ORDER SHEET
AP-COM/433/2025
IN THE HIGH COURT AT CALCUTTA
ORDINARY ORIGINAL CIVIL JURISDICTION
COMMERCIAL DIVISION

M/S CHOLAMANDALAM INVESTMENT
AND FINANCE COMPANY LTD.
VS
CUREX PHARMACEUTICALS AND ORS.

BEFORE:
The Hon'ble JUSTICE SHAMPA SARKAR
Date: 2nd July, 2025.

Appearance:
Mr. Shounak Mukhopadhyay, Adv.
Mr. Ranjit Singh, Adv.
Mr. Amar Singh, Adv.
Mrs. Tutul Das Singh, Adv.
Mr. Pranit Biswas, Adv.
...for the petitioner

Ms. Sweta Mukherjee, Adv.
Mr. Somnath Roy Chowdhury, Adv.
...for the respondent

The Court:

1. Having considered the rival contentions of the parties, this Court, prima facie finds that there are outstanding dues. The respondents also accept the same. However, the respondents contend through their learned advocate that after the NACH mandate of February, 2025 bounced, the amount was paid. Respondents also rely on a system generated receipt. The respondents shall meet the official of the finance

company with all details of payments made and forward the bank statement as also the receipts to the concerned advocate-on-record of the petitioner. It is further submitted that the respondents want to settle the matter.

2. Under such circumstances, the respondents are directed to pay a sum of Rs.1,50,000/- to the petitioner within a period of three weeks from date and pray for re-structurisation of the loan or a onetime settlement.
3. The petitioner shall be at liberty to act in accordance with its terms and conditions.
4. In case of default or if the parties cannot come to a settlement, the petitioner will be at liberty to approach this Court for further protection, in the event further instalments fall due or the NACH mandate is dishonoured again.
5. The application is, accordingly, disposed of.
6. Liberty is granted to the petitioner to renew similar prayers, if the situation so arises.

(SHAMPA SARKAR, J.)