

IN THE HIGH COURT OF KERALA AT ERNAKULAM
(Original Jurisdiction)

Present:
The Honourable Mr.Justice VIJU ABRAHAM
Thursday, the 2nd day of November, 2023/11th Karthika, 1945

In the matter of the Companies Act, 1956
and
In the matter of M/s.Nagoor Khani Rawther Chits (I) Pvt.Ltd.
(in Provl.Liquidation)

Company Claim No.366/2010 in Co.Pet. No..26/2005

CLAIMANT

M/S.NAGOOR KHANI RAWTHER CHITS (I) PVT.LTD.
(IN PROVL.LIQUIDATION),
REPRESENTED BY THE OFFICIAL LIQUIDATOR,
HIGH COURT OF KERALA, ERNAKULAM.

RESPONDENT

S.V.ANILKUMAR,
T.C. 5/16,
PALAMOOTTIL HOUSE,
PERRORKKADA P.O.,
THIRUVANANTHAPURAM.

This Company Claim coming on for hearing on this day in the presence of
Smt.S.Jasmine, Standing Counsel for the Official Liquidator and Sri.M.Sreekumar,
Advocate for the Respondent, this Court delivered the following:-

VIJU ABRAHAM, J.

.....

C.C. No.366 of 2010 in C.P.No.26 of 2005

.....

Dated this the 2nd day of November, 2023

JUDGMENT

The Liquidator has filed a claim dated 16.06.2010, seeking a decree against the respondent for a sum of Rs.79,333/-, along with interest at the rate of 12% per annum on the principal debt amount from 14.12.2003 till date of decree and thereafter at 12% interest per annum on principal debt till the date of realisation.

2. Heard the learned standing counsel for the Official Liquidator and the learned counsel appearing for the respondent.

After hearing both sides I am of the view that grant of 6% interest appears to be reasonable in the facts of this case. Therefore, this application is allowed and an amount of Rs.79,333/- is decreed against the respondent, to be paid along with interest at the rate of 6% per annum on the said sum from 14.12.2003 till realisation. Thereupon respondent has sought for payment of the said amount in installments. After hearing the learned standing counsel appearing for the Official Liquidator, the respondent is permitted to pay the decree amount with interest at the rate of 6% per annum in eight monthly installments

starting from 01.12.2023 and in case of default of single installment, the claimant will be free to proceed against the respondent in appropriate proceedings for recovery of the decreed amount.

No costs.

**Sd/-
VIJU ABRAHAM
JUDGE**

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