GAHC010124672015

THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : Co. Pet. No. 10/2015

HDFC BANK LIMITED
A COMPANY INCORPORTED UNDER THE COMPANIES ACT, 1956 AND CARRYING ON BANKING BUSINESS UNDER LICENSE GRANTED BY RESERVE BANK OF INDIA AND HAVING ITS REGISTERED OFFICE AT HDFC BANK HOUSE, SENAPATI BAPAT MARG, LOWER PAREL WEST, MUMBAI-400013 AND AMONGST OTHERS, HAVING ONE OF ITS OFFICES AT 11, U.N. BRAHMACHARI STREET, KOLKATA-700017 AND CENTRAL PLAZA, 2/6, SARAT BOSE ROAD, P.S.- BALLYGUNGE, KOLKATA- 700020.

VERSUS

CHOTATINGRAI TEA ESTATE PRIVATE LIMITED
A COMPANY INCOPORATED UNER THE COMPANIES ACT, 1956 AND HAVING ITS REGISTERED OFFICE AT JALANAGAR, DIBRUGARH, ASSAM.

Advocate for the Petitioner : MR.M SHARMA

Advocate for the Respondent : MS.B DAS

ORDER

Date : 09-01-2018

BEFORE
HONOURABLE MR. JUSTICE SUMAN SHYAM

Heard Mr. D. Senapati, learned counsel for the petitioner. Also heard Mr. D. Baruah, learned counsel for the respondents who submits that the next date fixed in the proceeding initiated before the Recovery Officer, DRT, Kolkata pertaining to execution of the decree of the DRT passed against the respondent No. 1 is fixed on 12-01-2018 for passing necessary order on the plea raised by the respondent that the liability against the company stood discharged after the winding of the principal borrower.

Mr. Baruah submits that the outcome of the decision of the Recovery Officer will have relevant bearing on this petition and therefore, further hearing of this case be deferred till the order passed by the Recovery Officer, DRT, Kolkata is made available on record.

Mr. Senapati, learned counsel for the petitioner has also fairly submitted that the outcome of the recovery proceeding is required to be brought on record of this case.

In view of the above, let this matter be listed after 04 weeks.

In the meantime, the order passed by the learned Recovery Officer, DRT, Kolkata, if any, be brought on record by filing additional affidavit by serving copy upon the opposite party.

JUDGE

GS

Comparing Assistant