

Court No.
28
Item 62
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C.R.R. 1482 of 2025

04.04.
2025

In the matter of:- **M/s Kalna Ambika Poultry Farms Pvt.
Ltd. & others.**

Mr. Moyukh Mukherjee
Mr. Arkaprabho Roy
Mr. Soujanya Pattanayak
...for the petitioners

Learned counsel appearing on behalf of the petitioners submits as follows. No averment has been made in the petition of complaint that the petitioner no.3 was in charge of and responsible to the Company as a Director for the day to day running of its business. Reliance is placed on a recent decision of the Hon'ble Apex Court rendered in *Susela Padmavathy Amma -vs- M/s Bharti Airtel Limited reported in SLP (Criminal) No. 12390-12391 of 2022*]. Furthermore, there is a contradiction between the amount sought to be paid in two demand notices. In fact, a substantial amount due was paid before the cheque could be presented for encashment.

Let the petitioners serve a copy of this application on the complainant opposite party by speed post with acknowledgment due, within a week. An affidavit of service to that effect shall be filed on the next date.

List this matter for hearing under the heading

“Contested Application” two weeks hence.

The impugned proceeding shall remain stayed for a period of four weeks from this date, so far as the petitioner no.3 is concerned. The other petitioners shall be at liberty to pray for stay after service of notice upon the other side.

Parties shall be at liberty to pray for extension, modification or vacating of the interim order upon notice to the other side.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Jay Sengupta, J.)