



2023:CHC-OS:176

ORDER SHEET

OD-6

IN THE HIGH COURT AT CALCUTTA
ORDINARY ORIGINAL CIVIL JURISDICTION

IA No. GA/6/2024
In
CS/300/2003
B.K. ENGINEERING WORKS
VERSUS
THE KOLKATA MUNICIPAL CORPORATION

BEFORE:

The Hon'ble JUSTICE BIVAS PATTANAYAK

Date: 9th September, 2024.

Appearance:

Mr. Altamas Alim, Adv.

Mr. Swapan Kumar Debnath, Adv.

For the K.M.C.

Mr. Surajit Nath Mitra, Sr. Adv.

For the Respondent.

Ms. Sananda Mukhopadhyay, Adv.

For the Receiver.

The Court :- Affidavit of service filed on behalf of the Kolkata Municipal Corporation is taken on record.

None appears on behalf of the plaintiff.

This is an application seeking direction upon the Receiver to hand over sums along with the accrued interest to the defendant/applicant upon discharge.

Mr. Altamas Alim, learned Advocate appearing for the applicant-Kolkata Municipal Corporation, submits that the amount accrued in the fixed deposit, made in compliance to order of this Court, be kept with the learned Registrar, Original Side subject to outcome of this application and the Receiver may be discharged.



Mr. Surajit Nath Mitra, learned Senior Advocate appearing on behalf of the Receiver, submits that a direction be issued for issuance of pay order in respect of the amount accrued in the fixed deposit in favour the learned Registrar, Original Side and thereby the Receiver be discharged upon issuance of such pay order.

Having considered the submission of the learned Advocates, learned Receiver, Ms. Sananda Mukhopadhyay is directed to approach Punjab National Bank, High Court Branch, Kolkata, for issuance of a pay order in favour of the Registrar, Original Side of the amount lying in fixed deposit along with accrued interest.

The learned Registrar, Original Side, shall keep such amount in a fixed deposit scheme till the disposal of this application.

Learned Receiver shall be discharged subject to handing over such pay order.

List this matter after two weeks.

(BIVAS PATTANAYAK, J.)