

ITEM NO.28

COURT NO.12

SECTION XVI

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition for Special Leave to Appeal (C) Nos. 6394-6398/2022
(Arising out of impugned final judgment and order dated 18-11-2020
in CAN No. 1/2020, CAN No. 2/2020, CAN No. 3/2020 and 10-03-2022
in CAN No. 4/2021, CAN No. 5/2021 passed by the High Court of
Calcutta Circuit Bench at Jalpaiguri)

KOHINOOR TEA COMPANY LIMITED

Petitioner(s)

VERSUS

RITHVIK BHATTACHARYA & ORS.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.52809/2022-EXEMPTION FROM FILING
C/C OF THE IMPUGNED JUDGMENT)

Date : 13-04-2022 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE M.R. SHAH
HON'BLE MRS. JUSTICE B.V. NAGARATHNA

For Petitioner(s) Mr. Chandrashekhar A. Chakalabbi, Adv.
Mr. Shiv Kumar Pandey, Adv.
Mr. Awanish Kumar , Adv.
Mr. Anshur Rai, Adv.
Mr. Abhinav Garg , Adv.
Mr. D. Girish Kumar , Adv.
Mr. Kumar Vinayakam Gupta, Adv.
M/S. Dharmaprabhas Law Associates, AOR

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

Under One Time Settlement (OTS), the petitioner has
proposed to pay Rs.2.38 crores only. Against which the original
writ petitioner is ready and willing to pay/deposit Rs.6 crores. By
the impugned order, even the High Court has observed that let the
Bank take a decision on the proposal of the petitioner
herein/borrower under the OTS Scheme. When there is such a huge
difference, we would like to know from the Bank whether still the

contd..

Bank would like to consider the OTS offer made by the petitioner herein/borrower or not when the original petitioner is ready to pay/deposit Rs.6 Crores and, therefore, the Bank will get much more amount than under the OTS.

Issue notice to Respondent Nos. 1, 5, 6 & 7, returnable on 10.05 2022.

Dasti service, in addition, is permitted.

The Registry is directed to serve the respondents by speed post over and above the dasti service and see to it that respondents are served on or before the returnable date.

(NEETU SACHDEVA)
COURT MASTER (SH)

(NISHA TRIPATHI)
BRANCH OFFICER