

SUPREME COURT OF INDIA  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).10379/2006

(From the judgement and order dated 18/05/2006 in ACO No. 162/2005 & TN No. 336/2005 & CA No. 595/2005 & APOT No. 699/2005 of The HIGH COURT OF CALCUTTA)

ORIENTAL COMPANY LTD.

Petitioner(s)

VERSUS

FORT WILLIAM INDUSTRIES LTD.& ANR

Respondent(s)

(With prayer for interim relief and office report )

WITH SLP(C) NO. 13044 of 2006

(With appln. for directions and with prayer for interim relief and office report)

Date: 20/06/2008 This Petition was called on for hearing today.

CORAM :

HON'BLE Dr. JUSTICE ARIJIT PASAYAT

HON'BLE MR. JUSTICE G.S. SINGHVI

(VACATION BENCH)

For Petitioner(s)

Mr. Rakesh Sinha, Adv.

Mr. Surendra Dube, Adv.

Ms. Sonia Dube, Adv.

Ms.Shubra Sharma, Adv.

Ms. Indra Sawhney, adv.

Mr. Goodwill Indeevar, Adv.

Mr. U.U.Lalit, Sr. Adv.

Mr. Pratik Jalan, Adv.

Mr. Siddharth Bhatnagar, adv.

Mr. Shekhar Kumar, Adv.

For Respondent(s)

Mr. Sanjay Kr. Ghosh, Adv.

Mr. Avijit Bhattacharjee, Adv.

Ms. Nandini Sen, Adv.

Mr. Deba Prasad Mukherjee, Adv.

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Mr. Mukul Rohtagi, Sr. Adv.

Mr. Promit Ray, Adv.

Mr. Rauf Rahim, Adv.

Mr. Partha Sil, Adv.

Mr. B.K.Pal, Adv.

UPON hearing counsel the Court made the following

ORDER

Since the petitioner has agreed to pay a sum of Rs. 13.5 crores and the creditors have no objection to the sale of the assets to the petitioner, these petitions are disposed of. The consideration is fixed at Rs. 13.5 crores, in view of affidavit of the official liquidator that at some point of time, one person

had indicated that he is interested to pay that amount. The  
aforesaid amount of Rs. 13.5 crores takes care of the claims  
which the petitioner has agreed to settle. After the payments  
are made to the parties who have agreed to the settlement, the  
balance amount shall be deposited with the official liquidator.  
Dues of the creditors like provident fund of the workers and  
municipal dues form part of Rs. 13.5 crores. As noted above  
balance amount shall be deposited with the official liquidator.  
If the payments/deposits as agreed to are made, the sale in  
favour of the petitioner shall be confirmed.

(Shashi Sareen)  
Court Master

(Phoolan Wati Arora)  
Court Master