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**NATIONAL COMPANY LAW TRIBUNAL
KOLKATA BENCH
KOLKATA**

Misc A.No. 90/KB/2018
In
C.P.No. 24/2015

Present: Hon'ble Member (J) Shri Jinan K.R

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING ON 12th March 2018, 10.30 A.M

Name of the Company		Bejoy Kumar Chirimar & Anr. -Vs- The Bloomfield Tea Co. Ltd & Ors.	
Under Section		397/398	
Sl. No.	Name & Designation of Authorized Representative (IN CAPITAL LETTERS)	Appearing on behalf of	Signature with date

1. Tapita Banerji
2. Urmila Chakraborty
- 3) Jai Kumar Surana
- 4) Swarnaj Shaw

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Swarnaj Shaw
Adv

1. Subyasachi Chaudhury
2. Anuj Singh
3. Sayantan Bose
4. Sreemoyee Biswas Pukhrajotta
5. Madhurima Das

Advocate Petitioners .

Sreemoyee Pukhrajotta
Advocate
12/3/18 .

ORDER

Ld. Counsel on behalf of the petitioners and the respondent nos. 2 and 3 is present.

Ld. Counsel appearing on behalf of the application in Misc. A. No. 90/KB/2018 submits that the respondents who are directed to deposit the amount of Rs. 2.25 Crores, which have been received in

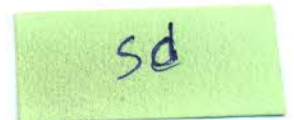
terms of memorandum of settlement in any Nationalised Bank, not being complied. In answering the objection raised on behalf of the petitioner, Ld. Counsel appearing on behalf of the respondents submits that it is because of *status quo* order dated 08/02/2018 the respondents could not transfer the amount as directed and that whatever amount is left in accounts and not at all dealt with as on 08/02/2018 and sought for clarification regarding the application of *status quo* in regard to the directions issued by this Bench.

In view of the above, it is made clear that what is meant by the *status quo* is that respondents were directed to deposit the entire amount of Rs. 2.25 Crores in any Nationalised Bank and subsequent to transfer they will not deal with the amount till next date of hearing, i.e., today. The clarification sought for is, therefore, made clear that respondents are bound to effect transfer of Rs. 2.25 Crores they have received in terms of memorandum of settlement and subsequent to the transfer may not deal with the transferred amount. The clarification is given to that effect.

Ld. Counsel appearing on behalf of the respondents sought further leave to file reply affidavit to Misc. A. No. 90/KB/2018. Leave is granted. Directed to file reply affidavit, if any, within 3 weeks by serving a copy of the reply affidavit to the petitioners and the petitioners are directed to file rejoinder, if any, within 3 weeks by serving a copy of the rejoinder to the respondents.

Ld. Counsel for the respondents also submits that in view of the settlement arrived at the respondents have transferred certain properties to the applicant of the Misc. Application before 08/02/2018 and such transfer effected in favour of the applicant of the Misc. Application it would be abide by the result of the *status quo*. Interim order is extended until next date of hearing.

List it on 01/05/2018.



(Jinan K.R.)
Member (J)