



KERALA STATE ELECTRICITY BOARD LIMITED

(Incorporated under the Companies Act, 1956)

Reg. Office: Vydyuthi Bhavanam, Pattom, Thiruvananthapuram – 695 004, Kerala

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Abstract

Execution Petition for the execution of the Decree/Judgment of the Hon'ble Principal Sub Judge, Thiruvananthapuram in OS No.627/2010 filed by Kerala State Electricity Board Limited against M/s Hindustan Construction Co. Ltd., – Resolution - Ratified - Orders issued.

CORPORATE OFFICE (LAW)

B.O. (DB) No.383/2023(LF II/LA II/5459 A/1996)

Dated, Thiruvananthapuram, 08.08.2023.

- Read:-
- 1) Decree/Judgment dated 21.12.2019 of the Hon'ble Principal Sub Judge, Thiruvananthapuram in OS No.627/2010.
 - 2) Office Order (DF) No.105/2021 (LF II/LA II/5459 A/1996) dated 21.01.2021.
 - 3) Judgment dated 03.02.2022 in EP No.15/2022 in OS No.627/2010.
 - 4) Letter No. IEXN 186/2023 dated 12.01.2023 of the Principal Sub Judge, Thiruvananthapuram.
 - 5) Email dated 14.03.2023 of Sri. John Thomas, Advocate
 - 6) Note No. LF II/LA II/5459 A/1996 dated 16.03.2023 of the Senior Law Officer, O/o the LA&DEO to the Full Time Directors (Agenda No. 49/3/23).
 - 7) BO(FTD) No.158/2023(LF II/LA II/5459 A/1996) dated 28.03.2023
 - 8) Note No. LF II/LA II/5459 A/1996 dated 07.06.2023. (Agenda No.12-07/2023).
 - 9) Proceedings of the adjourned 72nd meeting of the Board of Directors held on 27.07.2023 vide Agenda No.12-7/2023.

ORDER

KSEBL preferred OS No. 627/2010 before the Hon'ble Principal Sub Judge, Thiruvananthapuram for realizing an amount of Rs.74,33,000/- (Rupees Seventy Four Lakh Thirty Three Thousand Only) along with interest from M/s Hindustan Construction Co. Ltd., in connection with a contract work awarded for the construction of concrete lined power tunnel of Lower Periyar Hydro Electric Project.

By the Judgment/Decree read as 1st above, the Hon'ble Principal Sub Judge, Thiruvananthapuram allowed the plaintiff Kerala State Electricity Board Limited to realize an amount of ₹74,33,000/- (Rupees Seventy Four Lakh Thirty Three Thousand Only) with interest @ 6% from the date of the suit till realization from the

defendants and their assets, along with cost of the suit amounting to ₹3,46,671/- (Rupees Three Lakh Forty Six Thousand Six Hundred and Seventy One Only).

As per Office Order read as 2nd, it was decided to file Execution Petition before the Hon'ble Principal Sub Judge, Thiruvananthapuram for executing the decree/judgment. As the assets of the defendant company are situated in Mumbai, Maharashtra, the Hon'ble Principal Sub Judge, Thiruvananthapuram as per Judgment dated 03.02.2022 in EP No.15/2022 in OS No.627/2010 read as 3rd, allowed the transfer of the decree to City Civil Court, Mumbai, Maharashtra and transferred the original Judgment/Decree as per Transfer Certificate read as 4th above.

Sri. John Thomas, Advocate vide the email read as 5th has requested the resolution authorizing the Chairman and Managing Director, KSEBL to represent Kerala State Electricity Board Limited in the proceedings of execution before the Hon'ble City Civil Court, Bombay. The matter was placed before the Full Time Directors as per note read as 6th above. Having considered the matter in detail the Full Time Directors in the meeting held on 28.03.2023 has resolved to authorize Dr. Rajan N Khobragade, Chairman and Managing Director, Kerala State Electricity Board Limited to represent Kerala State Electricity Board Limited in Execution Petition before the Hon'ble City Civil Court, Bombay, Maharashtra for execution of the Decree dated 21.12.2019 of the Hon'ble Principal Sub Judge, Thiruvananthapuram in OS No. 627/2010 and to sign all papers, applications, plaints, petitions and documents, affidavits as may be required to be filed in the civil courts, criminal courts, High Courts, Supreme Court of India or before any other quasi-judicial authority, tribunals, arbitrators, government and/or local authorities in connection with any legal proceedings by or against the company or to represent the company in all other matters incidental thereto as may be considered necessary and expedient. Further resolved to place the matter before the Board of Directors for ratification.

Accordingly, the matter was placed before the Board of Directors for ratification as per the note read as 8th. Having considered the matter in detail, the Board of Directors in its adjourned 72nd meeting held on 27.07.2023 resolved to ratify the resolution of the Full Time Directors read as 7th empowering Dr. Rajan N Khobragade IAS, Chairman and Managing Director, Kerala State

Electricity Board Limited to represent KSEBL in all matters incidental to the filing of Execution Petition before the Hon'ble City Civil Court, Bombay for execution of the Decree read as 1st above.

Orders are issued accordingly.

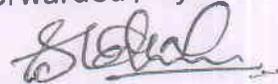
By Order of the Director Board
Sd/-
LEKHA.G
COMPANY SECRETARY

To
The Chief Engineer (Civil Construction) South, Vydyuthi Bhavanam, Pattom,
Thiruvananthapuram.

Copy to:-

The Financial Adviser/Chief Internal Auditor
The Chief Engineer, Civil Construction (South), Vydyuthi Bhavanam, Pattom,
Thiruvananthapuram.
The TA to Chairman & Managing Director/The PA to Director (Finance & HRM)
The TA to Director (Generation-Civil)/Director (Distribution, Safety, SCM & IT)/
Director (Transmission, System Operation & Planning)/ Director (Generation-
Electrical, REES, SOURA, Sports & Welfare).
Sri. John Thomas, Advocate, C-2, 1st Floor, Hilltop Apartment, Mehrauli,
New Delhi 110 030.
The Senior CA to Company Secretary.
Stock File

Forwarded / By Order



Senior Superintendent

