



JUZGADO TERCERO CIVIL DEL CIRCUITO
ARMENIA - QUINDIO

Asunto: Modifica Liquidación del Crédito
Proceso: Ejecutivo Singular
Ejecutante: Juliana Vanesa Mejía Osorio Cesionaria de Claudia Lorena Osorio
Acumulados: Civilequipment S.A.S
Ejecutada: Fuczia Construcciones S.A.S
Radicado: 630013103003-2017-00215-00
Acumulado: 110013103036-2020-00206-00

Julio diez (10) de dos mil veintitrés (2023)

Surtido como se encuentra el traslado de la liquidación del crédito suministrada por la mandataria de la parte actora en el asunto acumulado, se tiene que no se recibió objeción alguna.

Sería del caso impartirle aprobación al referido cómputo, si no fuera porque el mismo no se ajusta a la realidad del crédito en cobro, ello a causa de que la tasa utilizada superó el máximo autorizado por la ley en la medida de que no hizo uso de la tasa nominal que rige para este tipo de liquidaciones.

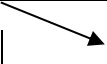
En consecuencia, conforme a lo reglado en el artículo 446 del C.G.P se impone la modificación de la liquidación en los siguientes términos:

Obligación factura 2087:

CAPITAL:		\$78,611,970.00						
VIGENCIA		Brio. Cte.	Máxima Autorizada		TASA	LIQUIDACION		
DESDE	HASTA	T. Efectiva	Efectiva 1.5	Anual	nominal efectiva	Nominal Mensual	DÍAS	INTERESES
								
23-nov-19	30-nov-19	19.03%		28.55%	25.38%	2.11%	8	443,292.19
01-dic-19	31-dic-19	18.91%		28.37%	25.23%	2.10%	30	1,652,972.43
01-ene-20	31-ene-20	18.77%		28.16%	25.07%	2.09%	30	1,642,021.69
01-feb-20	29-feb-20	19.06%		28.59%	25.41%	2.12%	30	1,664,687.14
01-mar-20	31-mar-20	18.95%		28.43%	25.28%	2.11%	30	1,656,098.19
01-abr-20	30-abr-20	18.69%		28.04%	24.97%	2.08%	30	1,635,756.74
01-may-20	31-may-20	18.19%		27.29%	24.37%	2.03%	30	1,596,478.43
01-jun-20	30-jun-20	18.12%		27.18%	24.29%	2.02%	30	1,590,962.54
01-jul-20	31-jul-20	18.12%		27.18%	24.29%	2.02%	30	1,590,962.54
01-ago-20	31-ago-20	18.29%		27.44%	24.49%	2.04%	30	1,604,351.03
01-sep-20	30-sep-20	18.35%		27.53%	24.56%	2.05%	30	1,609,070.52
01-oct-20	31-oct-20	18.09%		27.14%	24.25%	2.02%	30	1,588,597.31
01-nov-20	30-nov-20	17.84%		26.76%	23.95%	2.00%	30	1,568,857.18

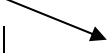
01-dic-20	31-dic-20	17.46%	26.19%	23.49%	1.96%	30	1,538,749.40
01-ene-21	31-ene-21	17.32%	25.98%	23.32%	1.94%	30	1,527,625.63
01-feb-21	28-feb-21	17.54%	26.31%	23.59%	1.97%	30	1,545,098.23
01-mar-21	31-mar-21	17.41%	26.12%	23.43%	1.95%	30	1,534,778.58
01-abr-21	30-abr-21	17.31%	25.97%	23.31%	1.94%	30	1,526,830.43
01-may-21	31-may-21	17.22%	25.83%	23.20%	1.93%	30	1,519,669.67
01-jun-21	30-jun-21	17.21%	25.82%	23.19%	1.93%	30	1,518,873.60
01-jul-21	31-jul-21	17.18%	25.77%	23.15%	1.93%	30	1,516,484.85
01-ago-21	31-ago-21	17.24%	25.86%	23.22%	1.94%	30	1,521,261.56
01-sep-21	30-sep-21	17.19%	25.79%	23.16%	1.93%	30	1,517,281.19
01-oct-21	31-oct-21	17.08%	25.62%	23.03%	1.92%	30	1,508,516.71
01-nov-21	30-nov-21	17.27%	25.91%	23.26%	1.94%	30	1,523,648.74
01-dic-21	31-dic-21	17.46%	26.19%	23.49%	1.96%	30	1,538,749.40
01-ene-22	31-ene-22	17.66%	26.49%	23.73%	1.98%	30	1,554,611.10
01-feb-22	28-feb-22	18.30%	27.45%	24.50%	2.04%	30	1,605,137.83
01-mar-22	31-mar-22	18.47%	27.71%	24.71%	2.06%	30	1,618,500.34
01-abr-22	30-abr-22	19.05%	28.58%	25.40%	2.12%	30	1,663,906.75
01-may-22	31-may-22	19.71%	29.57%	26.18%	2.18%	30	1,715,234.78
01-jun-22	30-jun-22	20.40%	30.60%	27.00%	2.25%	30	1,768,512.94
01-jul-22	31-jul-22	21.28%	31.92%	28.02%	2.34%	30	1,835,903.10
01-ago-22	31-ago-22	22.21%	33.32%	29.10%	2.43%	30	1,906,453.76
01-sep-22	30-sep-22	23.50%	35.25%	30.58%	2.55%	30	2,003,202.18
01-oct-22	31-oct-22	24.61%	36.92%	31.83%	2.65%	30	2,085,440.52
01-nov-22	30-nov-22	25.78%	38.67%	33.14%	2.76%	30	2,171,137.65
01-dic-22	31-dic-22	27.64%	41.46%	35.19%	2.93%	30	2,305,348.85
01-ene-23	31-ene-23	28.84%	43.26%	36.49%	3.04%	30	2,390,654.81
01-feb-23	28-feb-23	30.18%	45.27%	37.93%	3.16%	30	2,484,759.68
01-mar-23	31-mar-23	30.84%	46.26%	38.63%	3.22%	30	2,530,671.93
01-abr-23	30-abr-23	31.39%	47.09%	39.21%	3.27%	30	2,568,715.05
01-may-23	30-may-23	30.27%	45.41%	38.03%	3.17%	30	2,491,037.30
01-jun-23	30-jun-23	29.76%	44.64%	37.48%	3.12%	30	2,455,393.23
			Total Intereses				\$76,836,297.69
			Capital				\$78,611,970.00
			Intereses de Plazo				
		TOTAL: CAPITAL+INTERESES					\$155,448,267.69

Obligación factura 2097:

CAPITAL:		\$204,914,746.00					
VIGENCIA		Brio. Cte.	Máxima Autorizada		TASA	LIQUIDACION	
DESDE	HASTA	T. Efectiva	Efectiva Anual 1.5	nominal efectiva	Nominal Mensual	DÍAS	INTERESES
							
03-mar-20	31-mar-20	18.95%	28.43%	25.28%	2.11%	28	4,029,093.92
01-abr-20	30-abr-20	18.69%	28.04%	24.97%	2.08%	30	4,263,863.09
01-may-20	31-may-20	18.19%	27.29%	24.37%	2.03%	30	4,161,477.84
01-jun-20	30-jun-20	18.12%	27.18%	24.29%	2.02%	30	4,147,099.80
01-jul-20	31-jul-20	18.12%	27.18%	24.29%	2.02%	30	4,147,099.80
01-ago-20	31-ago-20	18.29%	27.44%	24.49%	2.04%	30	4,181,999.05
01-sep-20	30-sep-20	18.35%	27.53%	24.56%	2.05%	30	4,194,301.16
01-oct-20	31-oct-20	18.09%	27.14%	24.25%	2.02%	30	4,140,934.45
01-nov-20	30-nov-20	17.84%	26.76%	23.95%	2.00%	30	4,089,478.61
01-dic-20	31-dic-20	17.46%	26.19%	23.49%	1.96%	30	4,010,997.86
01-ene-21	31-ene-21	17.32%	25.98%	23.32%	1.94%	30	3,982,001.96
01-feb-21	28-feb-21	17.54%	26.31%	23.59%	1.97%	30	4,027,547.09
01-mar-21	31-mar-21	17.41%	26.12%	23.43%	1.95%	30	4,000,647.26
01-abr-21	30-abr-21	17.31%	25.97%	23.31%	1.94%	30	3,979,929.13

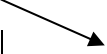
01-may-21	31-may-21	17.22%	25.83%	23.20%	1.93%	30	3,961,263.46
01-jun-21	30-jun-21	17.21%	25.82%	23.19%	1.93%	30	3,959,188.37
01-jul-21	31-jul-21	17.18%	25.77%	23.15%	1.93%	30	3,952,961.72
01-ago-21	31-ago-21	17.24%	25.86%	23.22%	1.94%	30	3,965,412.98
01-sep-21	30-sep-21	17.19%	25.79%	23.16%	1.93%	30	3,955,037.50
01-oct-21	31-oct-21	17.08%	25.62%	23.03%	1.92%	30	3,932,191.47
01-nov-21	30-nov-21	17.27%	25.91%	23.26%	1.94%	30	3,971,635.54
01-dic-21	31-dic-21	17.46%	26.19%	23.49%	1.96%	30	4,010,997.86
01-ene-22	31-ene-22	17.66%	26.49%	23.73%	1.98%	30	4,052,343.93
01-feb-22	28-feb-22	18.30%	27.45%	24.50%	2.04%	30	4,184,049.96
01-mar-22	31-mar-22	18.47%	27.71%	24.71%	2.06%	30	4,218,881.50
01-abr-22	30-abr-22	19.05%	28.58%	25.40%	2.12%	30	4,337,240.61
01-may-22	31-may-22	19.71%	29.57%	26.18%	2.18%	30	4,471,035.39
01-jun-22	30-jun-22	20.40%	30.60%	27.00%	2.25%	30	4,609,913.46
01-jul-22	31-jul-22	21.28%	31.92%	28.02%	2.34%	30	4,785,576.78
01-ago-22	31-ago-22	22.21%	33.32%	29.10%	2.43%	30	4,969,478.42
01-sep-22	30-sep-22	23.50%	35.25%	30.58%	2.55%	30	5,221,668.73
01-oct-22	31-oct-22	24.61%	36.92%	31.83%	2.65%	30	5,436,036.20
01-nov-22	30-nov-22	25.78%	38.67%	33.14%	2.76%	30	5,659,419.55
01-dic-22	31-dic-22	27.64%	41.46%	35.19%	2.93%	30	6,009,262.63
01-ene-23	31-ene-23	28.84%	43.26%	36.49%	3.04%	30	6,231,626.34
01-feb-23	28-feb-23	30.18%	45.27%	37.93%	3.16%	30	6,476,925.82
01-mar-23	31-mar-23	30.84%	46.26%	38.63%	3.22%	30	6,596,603.49
01-abr-23	30-abr-23	31.39%	47.09%	39.21%	3.27%	30	6,695,769.00
01-may-23	30-may-23	30.27%	45.41%	38.03%	3.17%	30	6,493,289.45
01-jun-23	30-jun-23	29.76%	44.64%	37.48%	3.12%	30	6,400,377.44
			Total Intereses				\$185,914,658.60
			Capital				\$204,914,746.00
			Intereses de Plazo				
		TOTAL: CAPITAL+INTERESES					\$390,829,404.60

Obligación factura 2096:

CAPITAL:		\$39,137,732.70					
VIGENCIA		Brio. Cte.	Máxima Autorizada		TASA	LIQUIDACION	
DESDE	HASTA	T. Efectiva	Efectiva 1.5	Anual	nominal efectiva	Nominal Mensual	DÍAS INTERESES
							
03-mar-20	31-mar-20	18.95%	28.43%	25.28%	2.11%	28	769,537.60
01-abr-20	30-abr-20	18.69%	28.04%	24.97%	2.08%	30	814,377.38
01-may-20	31-may-20	18.19%	27.29%	24.37%	2.03%	30	794,822.29
01-jun-20	30-jun-20	18.12%	27.18%	24.29%	2.02%	30	792,076.15
01-jul-20	31-jul-20	18.12%	27.18%	24.29%	2.02%	30	792,076.15
01-ago-20	31-ago-20	18.29%	27.44%	24.49%	2.04%	30	798,741.74
01-sep-20	30-sep-20	18.35%	27.53%	24.56%	2.05%	30	801,091.38
01-oct-20	31-oct-20	18.09%	27.14%	24.25%	2.02%	30	790,898.60
01-nov-20	30-nov-20	17.84%	26.76%	23.95%	2.00%	30	781,070.78
01-dic-20	31-dic-20	17.46%	26.19%	23.49%	1.96%	30	766,081.33
01-ene-21	31-ene-21	17.32%	25.98%	23.32%	1.94%	30	760,543.26
01-feb-21	28-feb-21	17.54%	26.31%	23.59%	1.97%	30	769,242.16
01-mar-21	31-mar-21	17.41%	26.12%	23.43%	1.95%	30	764,104.42
01-abr-21	30-abr-21	17.31%	25.97%	23.31%	1.94%	30	760,147.36
01-may-21	31-may-21	17.22%	25.83%	23.20%	1.93%	30	756,582.30
01-jun-21	30-jun-21	17.21%	25.82%	23.19%	1.93%	30	756,185.97
01-jul-21	31-jul-21	17.18%	25.77%	23.15%	1.93%	30	754,996.71
01-ago-21	31-ago-21	17.24%	25.86%	23.22%	1.94%	30	757,374.84
01-sep-21	30-sep-21	17.19%	25.79%	23.16%	1.93%	30	755,393.17

01-oct-21	31-oct-21	17.08%	25.62%	23.03%	1.92%	30	751,029.69
01-nov-21	30-nov-21	17.27%	25.91%	23.26%	1.94%	30	758,563.32
01-dic-21	31-dic-21	17.46%	26.19%	23.49%	1.96%	30	766,081.33
01-ene-22	31-ene-22	17.66%	26.49%	23.73%	1.98%	30	773,978.24
01-feb-22	28-feb-22	18.30%	27.45%	24.50%	2.04%	30	799,133.45
01-mar-22	31-mar-22	18.47%	27.71%	24.71%	2.06%	30	805,786.11
01-abr-22	30-abr-22	19.05%	28.58%	25.40%	2.12%	30	828,392.13
01-may-22	31-may-22	19.71%	29.57%	26.18%	2.18%	30	853,946.29
01-jun-22	30-jun-22	20.40%	30.60%	27.00%	2.25%	30	880,471.34
01-jul-22	31-jul-22	21.28%	31.92%	28.02%	2.34%	30	914,022.19
01-ago-22	31-ago-22	22.21%	33.32%	29.10%	2.43%	30	949,146.52
01-sep-22	30-sep-22	23.50%	35.25%	30.58%	2.55%	30	997,313.66
01-oct-22	31-oct-22	24.61%	36.92%	31.83%	2.65%	30	1,038,256.82
01-nov-22	30-nov-22	25.78%	38.67%	33.14%	2.76%	30	1,080,921.96
01-dic-22	31-dic-22	27.64%	41.46%	35.19%	2.93%	30	1,147,740.31
01-ene-23	31-ene-23	28.84%	43.26%	36.49%	3.04%	30	1,190,210.71
01-feb-23	28-feb-23	30.18%	45.27%	37.93%	3.16%	30	1,237,061.74
01-mar-23	31-mar-23	30.84%	46.26%	38.63%	3.22%	30	1,259,919.60
01-abr-23	30-abr-23	31.39%	47.09%	39.21%	3.27%	30	1,278,859.73
01-may-23	30-may-23	30.27%	45.41%	38.03%	3.17%	30	1,240,187.11
01-jun-23	30-jun-23	29.76%	44.64%	37.48%	3.12%	30	1,222,441.36
			Total Intereses				\$35,508,807.22
			Capital				\$39,137,732.70
			Intereses de Plazo				
		TOTAL: CAPITAL+INTERESES					\$74,646,539.92

Cláusula penal:

CAPITAL:	\$90,000,000.00						
VIGENCIA		Brio. Cte.	Máxima Autorizada		TASA	LIQUIDACION	
DESDE	HASTA	T. Efectiva	Efectiva 1.5	Anual	nominal efectiva	Nominal Mensual	DÍAS INTERESES
							
			Total Intereses				\$0.00
			Capital				\$90,000,000.00
			Intereses de Plazo				
		TOTAL: CAPITAL+INTERESES					\$90,000,000.00

Síntesis de las obligaciones:

Factura 2087:

\$155,448,267.69

Factura 2097:

\$390,829,404.60

Factura 2096:

\$74,646,539.92

Cláusula penal:

\$90.000.000

Total:

\$710.924.212.21

Por lo expuesto, el Juzgado Tercero Civil del Circuito de Armenia Quindío,

RESUELVE

MODIFICAR la liquidación del crédito acercada por la mandataria de Civilequipment S.A.S y en consecuencia APROBAR la elaborada por el despacho.

NOTIFIQUESE Y CUMPLASE

[Estado #107 del 11-07-2023](#)

Firmado Por:

Ivan Dario Lopez Guzman

Juez

Juzgado De Circuito

Civil 003

Armenia - Quindío

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