SECRETARIA: Las diligencias al día de Hoy Veintiuno (21) de Julio de dos mil veinte (2020), dejando constancia que conforme a acuerdos PCSJA20-11517, PCSJA20-11521, PCSJA20-11526, PCSJA20-11532, PCSJA20-11546, PCSJA20-11549, PCSJA20-11556 y PCSJA20-11567 emanados de la Presidencia del Consejo Superior de la Judicatura, se suspendieron los términos entre el dieciséis (16) de marzo y el treinta (30) de Junio de dos mil veinte (2020), para su conocimiento.

RICARDO MAURICIO PINEDA RODRÍGUEZ
SECRETARIO

Proceso: Ejecutivo 2007-00033
Demandante: Banco Agrario de Colombia S. A.
Demandado: José Alejandro Yagama Yagama

JUZGADO PROMISCUO MUNICIPAL
SÁCHICA - BOYACÁ-

Veintitrés (23) de julio de dos mil veinte (2.020)

Revisadas las diligencias, observa el Despacho que en la liquidación del crédito aprobada en auto del 14 de marzo de 2019 se están liquidando intereses de mora desde el 8 de octubre del 2007, pero corresponde es liquidar los intereses de mora a partir del 13 de octubre de 2008, puesto que en auto del 4 de noviembre de 2008 se aprobó liquidación de crédito en la cual se liquidaron los interese de mora hasta el 12 de octubre de 2008, por lo cual se debe dejar sin valor y efecto auto del 14 de marzo de 2019.

De otra parte el apoderado demandante radicó liquidación de crédito pero en la misma no tuvo en cuenta en cuenta la liquidación aprobada en auto del 4 de noviembre de 2008, correspondiendo liquidar los intereses de mora a partir de esa fecha.

Por lo anterior, se dará aplicación a lo preceptuado en el numeral 3 del Art. 446 del C. G. del P., modificando la liquidación del crédito la cual quedará así:

AÑO	MES	CTE. AÑO	INT. CORR. MES	MORA: CTE*1,5	INT. MORA MES	CAPITAL	DÍAS	INTERÉS MORA	SUBTOTAL
2008	OCT	21,02%	1,75%	31,53%	2,63%	$5.464.252,00	18	$86.143,93	$86.143,93
2008	NOV	21,02%	1,75%	31,53%	2,63%	$5.464.252,00	30	$143.573,22	$229.717,15
2008	DIC	21,02%	1,75%	31,53%	2,63%	$5.464.252,00	30	$143.573,22	$373.290,38
2009	ENE	20,47%	1,71%	30,71%	2,56%	$5.464.252,00	30	$139.816,55	$513.106,92
2009	FEB	20,47%	1,71%	30,71%	2,56%	$5.464.252,00	30	$139.816,55	$652.923,47
2009	MAR	20,47%	1,71%	30,71%	2,56%	$5.464.252,00	30	$139.816,55	$792.740,02
2009	ABR	20,28%	1,69%	30,42%	2,54%	$5.464.252,00	30	$138.518,79	$931.258,81
2009	MAY	20,28%	1,69%	30,42%	2,54%	$5.464.252,00	30	$138.518,79	$1.069.777,60
2009	JUN	20,28%	1,69%	30,42%	2,54%	$5.464.252,00	30	$138.518,79	$1.208.296,38
2009	JUL	18,65%	1,55%	27,98%	2,33%	$5.464.252,00	30	$127.385,37	$1.335.681,76
2009	AGO	18,65%	1,55%	27,98%	2,33%	$5.464.252,00	30	$127.385,37	$1.463.067,13
2009	SEP	18,65%	1,55%	27,98%	2,33%	$5.464.252,00	30	$127.385,37	$1.590.452,51
2009	OCT	17,28%	1,44%	25,92%	2,16%	$5.464.252,00	30	$118.027,84	$1.708.480,35
2009	NOV	17,28%	1,44%	25,92%	2,16%	$5.464.252,00	30	$118.027,84	$1.826.508,19
2009	DIC	17,28%	1,44%	25,92%	2,16%	$5.464.252,00	30	$118.027,84	$1.944.536,04
2010	ENE	16,14%	1,35%	24,21%	2,02%	$5.464.252,00	30	$110.241,28	$2.054.777,32
2010	FEB	16,14%	1,35%	24,21%	2,02%	$5.464.252,00	30	$110.241,28	$2.165.018,61
2010	MAR	16,14%	1,35%	24,21%	2,02%	$5.464.252,00	30	$110.241,28	$2.275.259,89
2010	ABR	15,31%	1,28%	22,97%	1,91%	$5.464.252,00	30	$104.572,12	$2.379.832,01
2010	MAY	15,31%	1,28%	22,97%	1,91%	$5.464.252,00	30	$104.572,12	$2.484.404,14
2010	JUN	15,31%	1,28%	22,97%	1,91%	$5.464.252,00	30	$104.572,12	$2.588.976,26
2010	JUL	14,94%	1,25%	22,41%	1,87%	$5.464.252,00	30	$102.044,91	$2.691.021,16
2010	AGO	14,94%	1,25%	22,41%	1,87%	$5.464.252,00	30	$102.044,91	$2.793.066,07
2010	SEP	14,94%	1,25%	22,41%	1,87%	$5.464.252,00	30	$102.044,91	$2.895.110,98
2010	OCT	14,21%	1,18%	21,32%	1,78%	$5.464.252,00	30	$97.058,78	$2.992.169,75
2010	NOV	14,21%	1,18%	21,32%	1,78%	$5.464.252,00	30	$97.058,78	$3.089.228,53
2010	DIC	14,21%	1,18%	21,32%	1,78%	$5.464.252,00	30	$97.058,78	$3.186.287,30

AÑO	MES	CTE. AÑO	INT. CORR. MES	MORA: CTE*1,5	INT. MORA MES	CAPITAL	DÍAS	INTERÉS MORA	SUBTOTAL
2011	ENE	15,61%	1,30%	23,42%	1,95%	$5.464.252,00	30	$106.621,22	$3.292.908,52
2011	FEB	15,61%	1,30%	23,42%	1,95%	$5.464.252,00	30	$106.621,22	$3.399.529,74
2011	MAR	15,61%	1,30%	23,42%	1,95%	$5.464.252,00	30	$106.621,22	$3.506.150,96
2011	ABR	17,69%	1,47%	26,54%	2,21%	$5.464.252,00	30	$120.828,27	$3.626.979,23
2011	MAY	17,69%	1,47%	26,54%	2,21%	$5.464.252,00	30	$120.828,27	$3.747.807,50
2011	JUN	17,69%	1,47%	26,54%	2,21%	$5.464.252,00	30	$120.828,27	$3.868.635,77
2011	JUL	18,63%	1,55%	27,95%	2,33%	$5.464.252,00	30	$127.248,77	$3.995.884,54
2011	AGO	18,63%	1,55%	27,95%	2,33%	$5.464.252,00	30	$127.248,77	$4.123.133,31
2011	SEP	18,63%	1,55%	27,95%	2,33%	$5.464.252,00	30	$127.248,77	$4.250.382,08
2011	OCT	19,39%	1,62%	29,09%	2,42%	$5.464.252,00	30	$132.439,81	$4.382.821,89
2011	NOV	19,39%	1,62%	29,09%	2,42%	$5.464.252,00	30	$132.439,81	$4.515.261,69
2011	DIC	19,39%	1,62%	29,09%	2,42%	$5.464.252,00	30	$132.439,81	$4.647.701,50
2012	ENE	19,92%	1,66%	29,88%	2,49%	$5.464.252,00	30	$136.059,87	$4.783.761,38
2012	FEB	19,92%	1,66%	29,88%	2,49%	$5.464.252,00	30	$136.059,87	$4.919.821,25
2012	MAR	19,92%	1,66%	29,88%	2,49%	$5.464.252,00	30	$136.059,87	$5.055.881,13
2012	ABR	20,52%	1,71%	30,78%	2,57%	$5.464.252,00	30	$140.158,06	$5.196.039,19
2012	MAY	20,52%	1,71%	30,78%	2,57%	$5.464.252,00	30	$140.158,06	$5.336.197,25
2012	JUN	20,52%	1,71%	30,78%	2,57%	$5.464.252,00	30	$140.158,06	$5.476.355,32
2012	JUL	20,86%	1,74%	31,29%	2,61%	$5.464.252,00	30	$142.480,37	$5.618.835,69
2012	AGO	20,86%	1,74%	31,29%	2,61%	$5.464.252,00	30	$142.480,37	$5.761.316,06
2012	SEP	20,86%	1,74%	31,29%	2,61%	$5.464.252,00	30	$142.480,37	$5.903.796,43
2012	OCT	20,89%	1,74%	31,34%	2,61%	$5.464.252,00	30	$142.685,28	$6.046.481,71
2012	NOV	20,89%	1,74%	31,34%	2,61%	$5.464.252,00	30	$142.685,28	$6.189.166,99
2012	DIC	20,89%	1,74%	31,34%	2,61%	$5.464.252,00	30	$142.685,28	$6.331.852,27
2013	ENE	20,75%	1,73%	31,13%	2,59%	$5.464.252,00	30	$141.729,04	$6.473.581,31
2013	FEB	20,75%	1,73%	31,13%	2,59%	$5.464.252,00	30	$141.729,04	$6.615.310,34
2013	MAR	20,75%	1,73%	31,13%	2,59%	$5.464.252,00	30	$141.729,04	$6.757.039,38
2013	ABR	20,83%	1,74%	31,25%	2,60%	$5.464.252,00	30	$142.275,46	$6.899.314,84
2013	MAY	20,83%	1,74%	31,25%	2,60%	$5.464.252,00	30	$142.275,46	$7.041.590,30
2013	JUN	20,83%	1,74%	31,25%	2,60%	$5.464.252,00	30	$142.275,46	$7.183.865,77
2013	JUL	20,34%	1,70%	30,51%	2,54%	$5.464.252,00	30	$138.928,61	$7.322.794,37
2013	AGO	20,34%	1,70%	30,51%	2,54%	$5.464.252,00	30	$138.928,61	$7.461.722,98
2013	SEP	20,34%	1,70%	30,51%	2,54%	$5.464.252,00	30	$138.928,61	$7.600.651,59
2013	OCT	19,85%	1,65%	29,78%	2,48%	$5.464.252,00	30	$135.581,75	$7.736.233,34
2013	NOV	19,85%	1,65%	29,78%	2,48%	$5.464.252,00	30	$135.581,75	$7.871.815,09
2013	DIC	19,85%	1,65%	29,78%	2,48%	$5.464.252,00	30	$135.581,75	$8.007.396,84
2014	ENE	19,65%	1,64%	29,48%	2,46%	$5.464.252,00	30	$134.215,69	$8.141.612,53
2014	FEB.	19,65%	1,64%	29,48%	2,46%	$5.464.252,00	30	$134.215,69	$8.275.828,22
2014	MAR	19,65%	1,64%	29,48%	2,46%	$5.464.252,00	30	$134.215,69	$8.410.043,91
2014	ABR	19,63%	1,64%	29,45%	2,45%	$5.464.252,00	30	$134.079,08	$8.544.123,00
2014	MAY	19,63%	1,64%	29,45%	2,45%	$5.464.252,00	30	$134.079,08	$8.678.202,08
2014	JUN	19,63%	1,64%	29,45%	2,45%	$5.464.252,00	30	$134.079,08	$8.812.281,16
2014	JUL	19,33%	1,61%	29,00%	2,42%	$5.464.252,00	30	$132.029,99	$8.944.311,15
2014	AGO	19,33%	1,61%	29,00%	2,42%	$5.464.252,00	30	$132.029,99	$9.076.341,14
2014	SEP	19,33%	1,61%	29,00%	2,42%	$5.464.252,00	30	$132.029,99	$9.208.371,13
2014	OCT	19,17%	1,60%	28,76%	2,40%	$5.464.252,00	30	$130.937,14	$9.339.308,27
2014	NOV	19,17%	1,60%	28,76%	2,40%	$5.464.252,00	30	$130.937,14	$9.470.245,41
2014	DIC	19,17%	1,60%	28,76%	2,40%	$5.464.252,00	30	$130.937,14	$9.601.182,55
2015	ENE	19,21%	1,60%	28,82%	2,40%	$5.464.252,00	30	$131.210,35	$9.732.392,90
2015	FEB	19,21%	1,60%	28,82%	2,40%	$5.464.252,00	30	$131.210,35	$9.863.603,25
2015	MAR	19,21%	1,60%	28,82%	2,40%	$5.464.252,00	30	$131.210,35	$9.994.813,60
2015	ABR	19,37%	1,61%	29,06%	2,42%	$5.464.252,00	30	$132.303,20	$10.127.116,80
2015	MAY	19,37%	1,61%	29,06%	2,42%	$5.464.252,00	30	$132.303,20	$10.259.420,00
2015	JUN	19,37%	1,61%	29,06%	2,42%	$5.464.252,00	30	$132.303,20	$10.391.723,20
2015	JUL	19,26%	1,61%	28,89%	2,41%	$5.464.252,00	30	$131.551,87	$10.523.275,07
2015	AGO	19,26%	1,61%	28,89%	2,41%	$5.464.252,00	30	$131.551,87	$10.654.826,94
2015	SEP	19,26%	1,61%	28,89%	2,41%	$5.464.252,00	30	$131.551,87	$10.786.378,81
2015	OCT	19,33%	1,61%	29,00%	2,42%	$5.464.252,00	30	$132.029,99	$10.918.408,79
2015	NOV	19,33%	1,61%	29,00%	2,42%	$5.464.252,00	30	$132.029,99	$11.050.438,78
2015	DIC	19,33%	1,61%	29,00%	2,42%	$5.464.252,00	30	$132.029,99	$11.182.468,77
2016	ENE	19,68%	1,64%	29,52%	2,46%	$5.464.252,00	30	$134.420,60	$11.316.889,37
2016	FEB	19,68%	1,64%	29,52%	2,46%	$5.464.252,00	30	$134.420,60	$11.451.309,97
2016	MAR	19,68%	1,64%	29,52%	2,46%	$5.464.252,00	30	$134.420,60	$11.585.730,57
2016	ABR	20,54%	1,71%	30,81%	2,57%	$5.464.252,00	30	$140.294,67	$11.726.025,24
2016	MAY	20,54%	1,71%	30,81%	2,57%	$5.464.252,00	30	$140.294,67	$11.866.319,91

AÑO	MES	CTE. AÑO	INT. CORR. MES	MORA: CTE*1,5	INT. MORA MES	CAPITAL	DÍAS	INTERÉS MORA	SUBTOTAL
2016	JUN	20,54%	1,71%	30,81%	2,57%	$5.464.252,00	30	$140.294,67	$12.006.614,58
2016	JUL	21,34%	1,78%	32,01%	2,67%	$5.464.252,00	30	$145.758,92	$12.152.373,50
2016	AGO	21,34%	1,78%	32,01%	2,67%	$5.464.252,00	30	$145.758,92	$12.298.132,42
2016	SEP	21,34%	1,78%	32,01%	2,67%	$5.464.252,00	30	$145.758,92	$12.443.891,35
2016	OCT	21,99%	1,83%	32,99%	2,75%	$5.464.252,00	30	$150.198,63	$12.594.089,97
2016	NOV	21,99%	1,83%	32,99%	2,75%	$5.464.252,00	30	$150.198,63	$12.744.288,60
2016	DIC	21,99%	1,83%	32,99%	2,75%	$5.464.252,00	30	$150.198,63	$12.894.487,23
2017	ENE	22,34%	1,86%	33,51%	2,79%	$5.464.252,00	30	$152.589,24	$13.047.076,46
2017	FEB	22,34%	1,86%	33,51%	2,79%	$5.464.252,00	30	$152.589,24	$13.199.665,70
2017	MAR	22,34%	1,86%	33,51%	2,79%	$5.464.252,00	30	$152.589,24	$13.352.254,94
2017	ABR	22,33%	1,86%	33,50%	2,79%	$5.464.252,00	30	$152.520,93	$13.504.775,87
2017	MAY	22,33%	1,86%	33,50%	2,79%	$5.464.252,00	30	$152.520,93	$13.657.296,81
2017	JUN	22,33%	1,86%	33,50%	2,79%	$5.464.252,00	30	$152.520,93	$13.809.817,74
217	JUL	21,98%	1,83%	32,97%	2,75%	$5.464.252,00	30	$150.130,32	$13.959.948,06
2017	AGO	21,98%	1,83%	32,97%	2,75%	$5.464.252,00	30	$150.130,32	$14.110.078,39
2017	SEP	21,48%	1,79%	32,22%	2,69%	$5.464.252,00	30	$146.715,17	$14.256.793,55
2017	OCT	21,15%	1,76%	31,73%	2,64%	$5.464.252,00	30	$144.461,16	$14.401.254,72
2017	NOV	20,96%	1,75%	31,44%	2,62%	$5.464.252,00	30	$143.163,40	$14.544.418,12
2017	DIC	20,77%	1,73%	31,16%	2,60%	$5.464.252,00	30	$141.865,64	$14.686.283,76
2018	ENE	20,69%	1,72%	31,04%	2,59%	$5.464.252,00	30	$141.319,22	$14.827.602,98
2018	FEB	21,01%	1,75%	31,52%	2,63%	$5.464.252,00	30	$143.504,92	$14.971.107,90
2018	MAR	20,68%	1,72%	31,02%	2,59%	$5.464.252,00	30	$141.250,91	$15.112.358,81
2018	ABR	20,48%	1,71%	30,72%	2,56%	$5.464.252,00	30	$139.884,85	$15.252.243,66
2018	MAY	20,44%	1,70%	30,66%	2,56%	$5.464.252,00	30	$139.611,64	$15.391.855,30
2018	JUN	20,28%	1,69%	30,42%	2,54%	$5.464.252,00	30	$138.518,79	$15.530.374,09
2018	JUL	20,03%	1,67%	30,05%	2,50%	$5.464.252,00	30	$136.811,21	$15.667.185,30
2018	AGO	19,94%	1,66%	29,91%	2,49%	$5.464.252,00	30	$136.196,48	$15.803.381,78
2018	SEP	19,81%	1,65%	29,72%	2,48%	$5.464.252,00	30	$135.308,54	$15.938.690,32
2018	OCT	19,63%	1,64%	29,45%	2,45%	$5.464.252,00	30	$134.079,08	$16.072.769,40
2018	NOV	19,49%	1,62%	29,24%	2,44%	$5.464.252,00	30	$133.122,84	$16.205.892,24
2018	DIC	19,40%	1,62%	29,10%	2,43%	$5.464.252,00	30	$132.508,11	$16.338.400,35
2019	ENE	19,16%	1,60%	28,74%	2,40%	$5.464.252,00	30	$130.868,84	$16.469.269,19
2019	FEB	19,70%	1,64%	29,55%	2,46%	$5.464.252,00	30	$134.557,21	$16.603.826,39
2019	MAR	19,37%	1,61%	29,06%	2,42%	$5.464.252,00	30	$132.303,20	$16.736.129,60
2019	ABR	19,32%	1,61%	28,98%	2,42%	$5.464.252,00	30	$131.961,69	$16.868.091,28
2019	MAY	19,34%	1,61%	29,01%	2,42%	$5.464.252,00	30	$132.098,29	$17.000.189,57
2019	JUN	19,30%	1,61%	28,95%	2,41%	$5.464.252,00	30	$131.825,08	$17.132.014,65
2019	JUL	19,28%	1,61%	28,92%	2,41%	$5.464.252,00	30	$131.688,47	$17.263.703,13
2019	AGO	19,32%	1,61%	28,98%	2,42%	$5.464.252,00	30	$131.961,69	$17.395.664,81
2019	SEP	19,32%	1,61%	28,98%	2,42%	$5.464.252,00	30	$131.961,69	$17.527.626,50
2019	OCT	19,10%	1,59%	28,65%	2,39%	$5.464.252,00	30	$130.459,02	$17.658.085,51
2019	NOV	19,03%	1,59%	28,55%	2,38%	$5.464.252,00	30	$129.980,89	$17.788.066,41
2019	DIC	18,91%	1,58%	28,37%	2,36%	$5.464.252,00	30	$129.161,26	$17.917.227,67
2020	ENE	18,77%	1,56%	28,16%	2,35%	$5.464.252,00	30	$128.205,01	$18.045.432,68
2020	FEB	19,06%	1,59%	28,59%	2,38%	$5.464.252,00	30	$130.185,80	$18.175.618,48
2020	MAR	18,95%	1,58%	28,43%	2,37%	$5.464.252,00	30	$129.434,47	$18.305.052,95
2020	ABR	18,69%	1,56%	28,04%	2,34%	$5.464.252,00	30	$127.658,59	$18.432.711,54
2020	MAY	18,19%	1,52%	27,29%	2,27%	$5.464.252,00	30	$124.243,43	$18.556.954,97
2020	JUN	18,12%	1,51%	27,18%	2,27%	$5.464.252,00	30	$123.765,31	$18.680.720,28

Intereses de plazo aprobados en auto del 4-nov.-2008	$297.209,77
Intereses de mora aprobados en auto del 4-nov.-2008	$2.537.648,76
Intereses de mora generados del 13-oct.-2008 al 30-jun.-2020	$18.680.720,28
Total Intereses al 30-jun.-2020	$21.515.578,81
Capital	$5.464.252,00
Total Deuda al 30-jun.-2020	$26.979.830,81

Visto lo anterior se tiene que en el tiempo transcurrido entre el 13 de octubre de 2008 y el 30 de junio de 2020 se generaron intereses de mora por valor de $ 18.680.720,28 por lo tanto la deuda total al 30 de junio de 2020 haciende a la suma de VEINTISEIS MILLONES NOVECIENTOS SETENTA Y

NUEVE MIL OCHOCIENTOS TREINTA PESOS CON OCHENTA Y UN CENTAVOS M/CTE. ($26.979.830,81)

En consecuencia el Juzgado Promiscuo Municipal de Sáchica,

RESUELVE

PRIMERO: Dejar sin valor y efecto auto del 14 de marzo de 2019 en atención a lo manifestado en la parte motiva de esta providencia.

SEGUNDO: No aprobar la liquidación presentada por la parte actora, por lo expuesto en la parte motiva.

TERCERO: MODIFICAR Y APROBAR, la liquidación en el modo y cuantía explicados en la parte motiva de esta providencia.

NOTIFÍQUESE Y CÚMPLASE

LUIS GABRIEL CAMACHO TARAZONA
Juez

JUZGADO PROMISCUO MUNICIPAL
SÁCHICA
Sáchica, 24 de julio de 2020. La providencia anterior fue notificada por inclusión en el ESTADO No. 012 de esta misma fecha.

RICARDO MAURICIO PINEDA RODRÍGUEZ
Secretario

/hhsn