



Rama Judicial  
Consejo Superior de la Judicatura  
República de Colombia

## **JUZGADO PROMISCOU MUNICIPAL DE SAN ANTONIO DE PALMITO**

Secretaría: Al despacho de la señora juez el presente proceso ejecutivo, informándole que se encuentra vencido el término de traslado de la liquidación adicional del crédito presentada por el apoderado de la parte ejecutante. Sírvasse proveer.

San Antonio de Palmito, 18 de noviembre de 2021

**Mario Alfonso Contreras Herazo**

Secretario

|                                               |
|-----------------------------------------------|
| EXPEDIENTE N°/ 70-523-40-89-001-2017-00027-00 |
| PROCESO/ EJECUTIVO SINGULAR                   |
| DEMANDANTE/ BANCO AGRARIO DE COLOMBIA S.A.    |
| DEMANDADO/ DAIRO NEL MONTERROZA ESTRADA       |

San Antonio de Palmito, dieciocho (18) de noviembre de dos mil veintiuno (2021)

Visto el informe secretarial que antecede, es del caso pronunciarse sobre la liquidación adicional de crédito elaborada por la parte ejecutante.

Revisada minuciosamente la misma, se advierte que el apoderado del ejecutante incurrió en un yerro que debe ser objeto de corrección, el cual consiste en que al momento de liquidar los intereses moratorios del pagaré No. 063826100002367, desde el 15/01/2020 y hasta el 28/10/2021, el valor aportado como resultado de esta operación aritmética excede el resultado real de la misma.

Por lo anterior, se hace necesario modificar dicha liquidación, de conformidad con lo establecido en el artículo 446 numeral 3 del Código General del Proceso, la cual quedará como se señala en la parte resolutive de esta providencia, aclarando que se anexa al presente auto el cuadro de Excel en que se liquidó la obligación.

En mérito de lo brevemente expuesto el Juzgado Promiscuo Municipal de San Antonio de Palmito,

### **RESUELVE:**

Modificar la liquidación adicional del crédito presentada por el demandante, de la siguiente manera:

Liquidación de crédito a corte 27/01/2020, aprobada por auto de fecha 07 de febrero de 2020.....\$ 26.544.745

Interés moratorio causados desde el 28/01/2020 y hasta el 28/10/2021<sup>1</sup>

**Pagaré No. 4481850003556014.....\$974.664**

**Pagaré No. 063826100002367.....\$ 4.790.562**

Total de la liquidación a la fecha .....\$ 32.309.971

**NOTIFIQUESE Y CÚMPLASE**



**MARGARITA MARÍA VARGAS VELILLA**  
Juez

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<sup>1</sup> Ver tabla anexa

# INTERESES MORATORIOS PAGARÉ 4481850003556014

|           |           |        |        |        |             |                 |              |
|-----------|-----------|--------|--------|--------|-------------|-----------------|--------------|
| 01-dic-19 | 31-dic-19 | 18.91% |        |        | Inte. Anual | Capital         | Total        |
| 01-ene-20 | 31-ene-20 | 18.77% |        |        | 2.3%        | \$ 1,985,919.00 | \$ 46,594.62 |
| 01-ene-20 | 31-mar-20 |        | 36.53% |        | 0.0%        | \$ 1,985,919.00 | \$ -         |
| 01-feb-20 | 29-feb-20 | 19.06% |        |        | 2.4%        | \$ 1,985,919.00 | \$ 47,314.52 |
| 01-mar-20 | 31-mar-20 | 18.95% |        |        | 2.4%        | \$ 1,985,919.00 | \$ 47,041.46 |
| 01-abr-20 | 30-abr-20 | 18.69% |        |        | 2.3%        | \$ 1,985,919.00 | \$ 46,396.03 |
| 01-abr-20 | 30-jun-20 |        | 37.05% |        | 0.0%        | \$ 1,985,919.00 | \$ -         |
| 01-may-20 | 31-may-20 | 18.19% |        |        | 2.3%        | \$ 1,985,919.00 | \$ 45,154.83 |
| 01-jun-20 | 30-jun-20 | 18.12% |        |        | 2.3%        | \$ 1,985,919.00 | \$ 44,981.07 |
| 01-jul-20 | 31-jul-20 | 18.12% |        |        | 2.3%        | \$ 1,985,919.00 | \$ 44,981.07 |
| 01-jul-20 | 30-sep-20 |        | 34.16% |        | 0.0%        | \$ 1,985,919.00 | \$ -         |
| 01-ago-20 | 31-ago-20 | 18.29% |        |        | 2.3%        | \$ 1,985,919.00 | \$ 45,403.07 |
| 01-sep-20 | 30-sep-20 | 18.35% |        |        | 2.3%        | \$ 1,985,919.00 | \$ 45,552.02 |
| 01-oct-20 | 31-oct-20 | 18.09% |        |        | 2.3%        | \$ 1,985,919.00 | \$ 44,906.59 |
| 01-oct-20 | 31-dic-20 |        | 37.72% |        | 0.0%        | \$ 1,985,919.00 | \$ -         |
| 01-oct-20 | 30-sep-21 |        |        | 32.42% | 0.0%        | \$ 1,985,919.00 | \$ -         |
| 01-nov-20 | 30-nov-20 | 17.84% |        |        | 2.2%        | \$ 1,985,919.00 | \$ 44,285.99 |
| 01-dic-20 | 31-dic-20 | 17.46% |        |        | 2.2%        | \$ 1,985,919.00 | \$ 43,342.68 |
| 01-ene-21 | 31-ene-21 | 17.32% |        |        | 2.2%        | \$ 1,985,919.00 | \$ 42,995.15 |
| 01-ene-21 | 31-mar-21 |        | 37.72% |        | 0.0%        | \$ 1,985,919.00 | \$ -         |
| 01-feb-21 | 28-feb-21 | 17.54% |        |        | 2.2%        | \$ 1,985,919.00 | \$ 43,541.27 |
| 01-mar-21 | 31-mar-21 | 17.41% |        |        | 2.2%        | \$ 1,985,919.00 | \$ 43,218.56 |
| 01-abr-21 | 30-abr-21 | 17.31% |        |        | 2.2%        | \$ 1,985,919.00 | \$ 42,970.32 |
| 01-abr-21 | 30-jun-21 |        | 38.42% |        | 0.0%        | \$ 1,985,919.00 | \$ -         |
| 01-may-21 | 31-may-21 | 17.22% |        |        | 2.2%        | \$ 1,985,919.00 | \$ 42,746.91 |
| 01-jun-21 | 30-jun-21 | 17.21% |        |        | 2.2%        | \$ 1,985,919.00 | \$ 42,722.08 |
| 01-jul-21 | 31-jul-21 | 17.18% |        |        | 2.1%        | \$ 1,985,919.00 | \$ 42,647.61 |
| 01-jul-21 | 30-sep-21 |        | 38.14% |        | 0.0%        | \$ 1,985,919.00 | \$ -         |
| 01-ago-21 | 31-ago-21 | 17.24% |        |        | 2.2%        | \$ 1,985,919.00 | \$ 42,796.55 |
| 01-sep-21 | 30-sep-21 | 17.19% |        |        | 2.1%        | \$ 1,985,919.00 | \$ 42,672.43 |
| 01-oct-21 | 31-oct-21 | 17.08% |        |        | 2.1%        | \$ 1,985,919.00 | \$ 42,399.37 |
| 01-oct-21 | 31-dic-21 |        | 37.36% |        |             | \$              | 974,664.22   |
| 01-oct-21 | 30-sep-22 |        |        | 30.35% |             |                 |              |

**INTERESES MORATORIOIS PAGARÉ 063826100002367**

|           |           |        |        |        |             |                  |                  |                       |
|-----------|-----------|--------|--------|--------|-------------|------------------|------------------|-----------------------|
| 01-dic-19 | 31-dic-19 | 18.91% |        |        | Inte. Anual | Capital          | Total            | días Liquidados       |
| 01-ene-20 | 31-ene-20 | 18.77% |        |        | 2.3%        | \$ 10,000,000.00 | \$ 234,625.00    | \$ 117,312.50 15 días |
| 01-ene-20 | 31-mar-20 |        | 36.53% |        | 0.0%        | \$ 10,000,000.00 | \$ -             |                       |
| 01-feb-20 | 29-feb-20 | 19.06% |        |        | 2.4%        | \$ 10,000,000.00 | \$ 238,250.00    |                       |
| 01-mar-20 | 31-mar-20 | 18.95% |        |        | 2.4%        | \$ 10,000,000.00 | \$ 236,875.00    |                       |
| 01-abr-20 | 30-abr-20 | 18.69% |        |        | 2.3%        | \$ 10,000,000.00 | \$ 233,625.00    |                       |
| 01-abr-20 | 30-jun-20 |        | 37.05% |        | 0.0%        | \$ 10,000,000.00 | \$ -             |                       |
| 01-may-20 | 31-may-20 | 18.19% |        |        | 2.3%        | \$ 10,000,000.00 | \$ 227,375.00    |                       |
| 01-jun-20 | 30-jun-20 | 18.12% |        |        | 2.3%        | \$ 10,000,000.00 | \$ 226,500.00    |                       |
| 01-jul-20 | 31-jul-20 | 18.12% |        |        | 2.3%        | \$ 10,000,000.00 | \$ 226,500.00    |                       |
| 01-jul-20 | 30-sep-20 |        | 34.16% |        | 0.0%        | \$ 10,000,000.00 | \$ -             |                       |
| 01-ago-20 | 31-ago-20 | 18.29% |        |        | 2.3%        | \$ 10,000,000.00 | \$ 228,625.00    |                       |
| 01-sep-20 | 30-sep-20 | 18.35% |        |        | 2.3%        | \$ 10,000,000.00 | \$ 229,375.00    |                       |
| 01-oct-20 | 31-oct-20 | 18.09% |        |        | 2.3%        | \$ 10,000,000.00 | \$ 226,125.00    |                       |
| 01-oct-20 | 31-dic-20 |        | 37.72% |        | 0.0%        | \$ 10,000,000.00 | \$ -             |                       |
| 01-oct-20 | 30-sep-21 |        |        | 32.42% | 0.0%        | \$ 10,000,000.00 | \$ -             |                       |
| 01-nov-20 | 30-nov-20 | 17.84% |        |        | 2.2%        | \$ 10,000,000.00 | \$ 223,000.00    |                       |
| 01-dic-20 | 31-dic-20 | 17.46% |        |        | 2.2%        | \$ 10,000,000.00 | \$ 218,250.00    |                       |
| 01-ene-21 | 31-ene-21 | 17.32% |        |        | 2.2%        | \$ 10,000,000.00 | \$ 216,500.00    |                       |
| 01-ene-21 | 31-mar-21 |        | 37.72% |        | 0.0%        | \$ 10,000,000.00 | \$ -             |                       |
| 01-feb-21 | 28-feb-21 | 17.54% |        |        | 2.2%        | \$ 10,000,000.00 | \$ 219,250.00    |                       |
| 01-mar-21 | 31-mar-21 | 17.41% |        |        | 2.2%        | \$ 10,000,000.00 | \$ 217,625.00    |                       |
| 01-abr-21 | 30-abr-21 | 17.31% |        |        | 2.2%        | \$ 10,000,000.00 | \$ 216,375.00    |                       |
| 01-abr-21 | 30-jun-21 |        | 38.42% |        | 0.0%        | \$ 10,000,000.00 | \$ -             |                       |
| 01-may-21 | 31-may-21 | 17.22% |        |        | 2.2%        | \$ 10,000,000.00 | \$ 215,250.00    |                       |
| 01-jun-21 | 30-jun-21 | 17.21% |        |        | 2.2%        | \$ 10,000,000.00 | \$ 215,125.00    |                       |
| 01-jul-21 | 31-jul-21 | 17.18% |        |        | 2.1%        | \$ 10,000,000.00 | \$ 214,750.00    |                       |
| 01-jul-21 | 30-sep-21 |        | 38.14% |        | 0.0%        | \$ 10,000,000.00 | \$ -             |                       |
| 01-ago-21 | 31-ago-21 | 17.24% |        |        | 2.2%        | \$ 10,000,000.00 | \$ 215,500.00    |                       |
| 01-sep-21 | 30-sep-21 | 17.19% |        |        | 2.1%        | \$ 10,000,000.00 | \$ 214,875.00    |                       |
| 01-oct-21 | 31-oct-21 | 17.08% |        |        | 2.1%        | \$ 10,000,000.00 | \$ 213,500.00    |                       |
| 01-oct-21 | 31-dic-21 |        | 37.36% |        |             | \$ 4,673,250.00  |                  |                       |
| 01-oct-21 | 30-sep-22 |        |        | 30.35% |             | \$ 117,312.50    | 15 días Ene 2020 |                       |
|           |           |        |        |        |             | \$ 4,790,562.50  |                  |                       |