

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMPANY APPLICATION (L) NO.319 OF 2015
IN
COMPANY APPLICATION NO.368 OF 2014
IN
COMPANY PETITION NO.503 OF 2012**

Dhanlaxmi Bank	...	Applicant
and		
M/s. Southern Engineers	...	Petitioner
versus		
The Official Liquidator of M/s. Vibha Mechano		
Electric (I) Pvt. Ltd. (In Liqn.)	...	Respondent

Mr. Siddharth Murarka, for Petitioner.
MR. Alexander i/by M/s. Majmudar and Partners, for Applicant.
Ms. Pratibha, Asstt. Official Liquidator, present.

CORAM: S.J. KATHAWALLA, J.

DATE: 29th APRIL, 2015

PC.

1. Perused the Company Application and the Affidavit in support thereto. By an order dated 18-03-2015, the Applicant Bank was allowed to sell both the flats in association with the Official Liquidator. Though the Bank vide its letter dated 08-04-2015, has forwarded to the Official Liquidator the necessary documents as well as particulars of procedure for sale, the Official Liquidator has not responded to the same, thereby compelling the Applicant Bank to file the present Company Application seeking the following reliefs :

“(a) that this Hon'ble Court be pleased to accept the reserve price fixed by the Bank as set out in the draft sale notice annexed to this Application;

(b) the Applicant Bank be permitted to fix the date of sale and make publication of the sale notice of the flats in two newspapers, one in English and the other in vernacular language”;

2. The Company Application is allowed in terms of prayer clauses (a) and (b) reproduced above. The sale of the flats shall be advertised in Free Press Journal (in English) and Navshakti (in Marathi). The Bank shall bring back the sale consideration in Court or part thereof along with interest as and when directed by this Court. The Company Application is accordingly disposed of.

(S.J.KATHAWALLA, J.)