

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
APPELLATE SIDE
NAGPUR BENCH, NAGPUR

CIVIL APPLICATION (CAO) NO. 1200 OF 2015
IN
COMPANY PETITION NO. 3 OF 2010

Anilkumar Ramlalji Puniyani Vs. Official Liquidator High Court Building Nagpur

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Office Notes, Office Memoranda of Coram,
appearances, Court orders or directions
and Registrar's orders
.....

Court's or Judge's Order

Shri H.R.Gadhia Adv for applicant.
Shri Anjan De Adv for respondent.

CORAM: A.S.CHANDURKAR J.

DATED: 14th AUGUST, 2015.

By this application the applicant prays that the respondent be directed to remove the seal over two rooms of the property leased out to erstwhile Company under liquidation and also to handover symbolic possession of other five rooms of the same property.

In the reply filed on behalf of the Official Liquidator in para 11 it has been stated thus:

“In view of the above facts the Official Liquidator prays to this Hon'ble High Court to permit Official Liquidator to retain two rooms which contain records and other items of company for further period of six months or till inventerisation which ever is earlier and also permit Official Liquidator to remove symbolic possession of other five rooms.”

In view of aforesaid submission made in the reply the application is allowed by making the following order:

The Official Liquidator is permitted to retain two rooms that have been sealed to enable the Official Liquidator to remove all the records lying therein for the purposes of inventory. The Official Liquidator is permitted to retain said two rooms for a period of six months. However, if the work of inventory is completed prior to said period the Official Liquidator shall handover possession of said two rooms on such completion. Similarly, the Official Liquidator is permitted to handover symbolic possession of the other five rooms within a period of 15 days from today. Application is allowed in aforesaid terms.

Civil Application (CAZ) No. 1420 of 2015: This application has been moved by the Income Tax Department praying that the applicant No.2 be permitted to handover original documents as mentioned in list at Annexure B of the application to the Official Liquidator. Annexure B contains a list of 131 documents. Shri De, learned counsel appearing for Official Liquidator does not oppose the prayer made in the application, hence the application is allowed in terms of prayer Clause A. Application is disposed of.

JUDGE

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