

THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO

COMPANY APPLICATION No. 931 of 2013

IN

COMPANY PETITION No. 112 OF 2007

ORDER:

This Company Application is taken out by the company under liquidation, acting through the learned Advocate-Commissioners appointed by this Court for helping the winding-up process, seeking the following relief:

- i) whether the Advocate-Commissioners can continue the services of Sri B. Nagalinga for the work of security and maintenance of parks & plants in the ventures of Sri Sampath Nagar (earlier called as Southern Paradise-Phase.II & III) & Sri Sarada Nagar (earlier called as Southern Mega Township) situated at Shamshabad & Ootpally Villages of Shamshabad Mandal, R.R. District @ Rs.11,000/- per month per each layout until further orders of this Hon'ble Court.
- ii) whether the Advocate-Commissioners can provide any other incidental items i.e. pesticides, cutters, pipes, etc., which are asked for by the security persons for effective maintenance of parks & plants.
- iii) permit the Advocate-Commissioners to bring all the expenditure as stated above to the books and accounts of the company (in Liqn).
- iv) order the cost of this application to come out of the funds of the company"

The company under liquidation has undertaken development of two lay outs, which are now called as Sri Sarada Nagar and Sri Sampath Nagar. Since the company under liquidation has failed to provide the basic and necessary infrastructural facilities in these two lay outs, after ordering for the winding up of the company, the Court itself has taken up the task of providing the infrastructural facilities, such as black-top roads, drinking water, drainage, parks, avenue plantation and electricity facilities. Certain other infrastructure, which would cater to the needs of the community in the form of community centers, has also been developed. All this infrastructure is required to be protected carefully, as it was reported of certain pilferages, including pilferage of electrical wires and other related

equipment. In those circumstances, the learned Advocate-Commissioners have been authorized to engage the services of certain watch and ward staff and was paying them, on regular basis, at Rs.11,000/- per month. The learned Advocate-Commissioners acting on behalf of the company under liquidation have requested the plot owners' association to take over the maintenance of the infrastructure.

Sri K.V. Simhadri, learned Advocate has appeared on behalf of the plot owners' association, but so far, no concrete measures are adopted by them for taking over the maintenance. In these circumstances, the learned Advocate-Commissioners shall continue the watch and ward staff only up to the end of 31.03.2016 and in case, the plot owners' association does not come forward to take over the maintenance, on their own, with effect from 01.04.2016, the company under liquidation, acting through the learned Advocate-Commissioners appointed by this Court, may discontinue the services of the watch and ward staff engaged by them, leaving it open to the plot owners' association to avail the services of the same or any other person of their choice for carrying on with the watch and ward work. However, up to 31.03.2016, the learned Advocate-Commissioners shall continue to provide the same support, which they were extending hitherto to the watch and ward staff, including supply of pesticides, pipes or cutters, etcetera for undertaking the maintenance work and bring the expenditure incurred to the books of accounts of the company under liquidation.

With this, the Company Application stands ordered.

NOOTY RAMAMOHANA RAO, J

11th December 2015

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