

Shephali

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMPANY APPLICATION (L) NO. 490 of 2015
IN
COMPANY PETITION NO. 553 of 2014**

Ravi Lilaram Raisinghani Alias Ravi Rai ...Applicant
Versus
M/s. Maverick Productions Private Limited (in ...Respondents
liquidation through Official Liquidator)

Mr. Punit B. Anand, *for the Applicant.*
Ms. Gulnar Mistry, *i/b M/s. Dhruve Liladhar & Co., for the original
Petitioner.*
Ms. Yogini Chauhan, *Dy. Official Liquidator, present.*

CORAM: G.S. PATEL, J
DATED: 17th March 2016

PC:-

1. Heard.
2. The Applicant was the owner of certain office premises situated at G-13, B-13, "B" Wing, ground floor, Morya House Premises Cooperative Society Limited, Plot 66/67, Oshiwara Link Road, Andheri (West), Mumbai 400 053. These premises were admittedly given to the Company in liquidation on a leave and license basis. Possession was returned prior to the order of

admission on 31st December 2014, i.e., in the time between the order of admission of the Petition on 5th December 2014 and the time it was advertised on 12th January 2015.

3. The Official Liquidator took symbolic possession of these premises since he was told that this was the last known address of the Company.

4. Clearly, the Company has no rights over these premises. The Application must be allowed to that extent.

5. As regards the security deposit of Rs. 5 lakhs that is lying with the Applicant, this will need to be brought into the hands of the Official Liquidator. In the facts of the case, since Mr. Anand for the Applicant agrees to do so, I am waiving the interest on this amount of Rs. 5 lakhs. Mr. Anand says that the Applicant will deposit that amount of Rs. 5 lakhs with the Official Liquidator on or before 15th April 2016.

6. The Applicant will be at liberty to file and prove his claim for a refund of the entire amount of Rs. 5 lakhs before the Official Liquidator in winding up proceedings. The Official Liquidator will stand discharged in respect of this particular property. The Applicant will be at liberty to remove the board of the Liquidator from the premises.

7. The Company Application is disposed of in these terms with no order as to costs.

(G. S. PATEL, J.)