

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORDINARY ORIGINAL CIVIL JURISDICTION**

**SHOW CAUSE NOTICE NO. 1707 OF 2016  
IN  
OFFICIAL LIQUIDATOR'S REPORT NO. 208 OF 2016  
IN  
COMPANY PETITION NO. 183 OF 2010**

The Official Liquidator, High Court, Bombay      ...Petitioner  
vs.  
Bil Industries Ltd.      ....Respondent

Ms.Yogini Chauhan, Dy.Official Liquidator.

**CORAM : S.C. GUPTE, J.**

**9 DECEMBER 2016**

**P.C. :**

The noticee is an auction purchaser, who had deposited EMD of Rs.90,01,500/- by way of a cheque in favour of the Official Liquidator. After his offer was accepted by the court, an undertaking was submitted by a director of the noticee that the cheque of EMD of Rs.90,01,500/- would be replaced with a demand draft within one week and the balance consideration would be paid within a period of thirty days. None of the undertakings was complied with by the noticee. For breach of undertakings, this show cause notice is issued against the noticee. It, however, transpires that by an order dated 6 October 2016 passed by the appeal court, an undertaking on the part of the noticee was recorded and accepted by the court and these proceedings were stayed. This EMD amount has since been deposited by the noticee and a further statement on his part that he was willing to pay the entire bid amount on or before the end of February 2017 together with interest was recorded by the appeal court and the Official

Liquidator was directed to consider this offer. The matter was thereafter posted for hearing on 8 December 2016, when it was heard by the appeal court for sometime and stood over to 14 December 2016.

2            In the premises, the show cause notice is discharged.

**(S.C. Gupte, J.)**

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