

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMPANY APPLICATION NO.116 OF 2014
IN
COMPLAINT NO.2 OF 2013
IN
COMPANY PETITION NO.489 OF 20014

International Asset Reconstruction Company Private Limited
Versus
The Official Liquidator, High Court, Bombay and Another.

...Petitioners
...Defendants

Mr. Rohit Gupta, *with Mr. Nikhil Rajani i/b M/s. V. Deshpande and Company for the Applicant / Petitioner.*
Mr. Naushad Engineer, *for Official Liquidator .*
Ms. Yogini Chauhan, *Deputy Official Liquidator present.*

CORAM: G.S. PATEL, J
DATED: 9th August 2016

1. As the orders of 1st July 2016, and those that preceded it, show, for the longest time, the 2nd Respondent, one Mr. Gajanan Kanegaonkar, through his Advocates Mr. Nedumpara and Mr Dambre, repeatedly made a grievance that he did not have a copy of Official Liquidator's letter dated 18th April 2014. On 1st July 2016,

that controversy was given a final and most decent burial, when Mr. Engineer gave Ms. Dambre copy of this letter in Court.

2. Since then, the 2nd Respondent has stopped appearing in this matter altogether. He was not present or represented yesterday. He and his Advocates are absent yet again today.

3. There is absolutely no reason to keep this Company Application pending any longer. The prayer sought is that the 2nd Respondent Mr. Gajanan Kanegaonkar be directed to comply and submit details as required by the Official Liquidator in his letter dated 18th April 2016 and submit statement of affairs of the Company right until the date of liquidation along with the books of account of the Company. I have previously noted that while the Company was wound up on 26th July 2010, Mr. Kanegaonkar submitted a statement of affairs only for the preceding period up to 1999, but not for 10 or 11 years thereafter. This obviously unacceptable.

4. The Company Application is made absolute in terms of prayer clause (a). That statement of affairs and compliance with the requirement of the Liquidator's letter dated 18th April 2014 is to be done within the period of four weeks from today. Mr. Engineer says that even the books of account have not been furnished. It goes without saying that this is an essential part of a statement of affairs of the Company and these books of account must also be furnished.

5. In default, the Liquidator will immediately proceed against Mr. Kanegaonkar in accordance with law.

(G. S. PATEL, J.)