

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

**CONTEMPT PETITION (L) NO.16 OF 2015
IN
COMPANY PETITION NO.452 OF 2010**

Brian Castellino,
Ex-director of R-Tec System Pvt. Ltd.Appellant/Org. Resp.

IN THE MATTER BETWEEN :

Bell Finvest India Ltd. & Anr.Petitioners

Vs.

The Official Liquidator of
R-Tec System Pvt. Ltd.Respondent

Mr. Nishant Sangle i/b. Rohini M. Amin for the petitioners.

Ms. Yogini Chauhan, Assistant Official Liquidator present.

**CORAM : K.R.SHRIRAM,J
DATE : 14th JANUARY, 2016**

P.C.:-

1 This contempt petition is filed on the allegation that the Official Liquidator failed to follow the due process of law and that would amount to gross and willful contempt of this Hon'ble Court.

2 The order concerned as submitted by the counsel for the petitioners is 20th August, 2014. The counsel submitted that as per the said order the Official Liquidator was given liberty to take appropriate steps as per the provisions of law after giving notice to the ex-directors of the company. It is submitted that the notice to the ex-directors of the

company was not given before taking steps as envisaged in paragraph 3(ii) of the order dated 20th August, 2014. The counsel further submitted that the notice was given after taking steps.

3 If the Official Liquidator has not given notice to the ex-directors of the company, it will be open to the petitioners to take such steps as advised to contest the steps taken by the Official Liquidator and the same will be decided in accordance with law. In my view, if the Official Liquidator has not given notice as alleged by the counsel for the petitioners that would not amount to contempt.

4 Therefore, the contempt petition is accordingly dismissed.

5 Notwithstanding dismissal of the petition, the petitioners to remove all office objections and get the petition numbered within two week from today.

(K.R.SHRIRAM,J)