

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

**COMPANY APPLICATION (LODG.) NO.796 OF 2015
IN
COMPANY PETITION NO.606 OF 1998**

Jitendra Dipak ShindeApplicant

IN THE MATTER BETWEEN :

M/s. Metal Tubes & Rolling MillsPetitioner

V/s.

The Official Liquidator of M/s.
Transpower Engg. Ltd. (In Liqn.)Respondent

Ms. Molina P. Thakur for the applicant.

Ms. Pratibha Ramaswamy, Assistant Official Liquidator present.

**CORAM : K.R.SHRIRAM,J
DATE : 24th FEBRUARY, 2016**

P.C.:-

1 The Assistant Official Liquidator states that by an order pronounced on 14th January, 2016, the sale of the property of the company to one M/s. Goldchip Infraventure Private Limited was set aside. Pursuant thereto, the amount of Rs.8.50 crores that was received by the Official Liquidator, has been directed to be returned. The Assistant Official Liquidator, therefore, submits that in view thereof, there is no funds available for distribution, as sought by the applicant.

2 In the circumstances, the application is premature and is, therefore, dismissed.

3 The applicant may apply at the appropriate time once the funds are realized by the Official Liquidator.

(K.R.SHRIRAM,J)