

Nalawade

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

COMPANY APPLICATION NO. 268 OF 2017
IN
COMPANY PETITION NO. 95 OF 1999

Asset Reconstruction Co.(India) Ltd. ..Applicant.

In the matter between

Devi Construction Co. Ltd.

..Original Petitioner.

vs.

Patheja Brothers Forgings and Stampings Ltd.

...Original Respondent.

And

The Officer In charge (Land Records) ..Respondent.

Adv. Prerna Gandhi i/by Manilal Kher Ambalal & Co. for the
Applicant.

Mr. Mahendhar Aithe, Co. Prosecutor present.

CORAM :A.S.GADKARI, J.

DATE : 21st July, 2017

P.C.

1. This is an application for directions to the respondent-the Officer In-charge (Land Records) to demarcate the Gat Nos. 206 and 250 at Kharabwadi, Chakan, District Pune.

It is submitted that the applicant is the secured creditor of the respondent company namely Patheja Brothers Forgings and Stampings Ltd. (in liquidation).That the respondent company was directed to be wound up by an order dated 16.6.2007 of this Court. That, the applicant apart from taking steps under the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act ,2002 has also lodged its claim with the office of the Official Liquidator with a request to direct the concerned authority to

demarcate the properties mentioned herein above. The record indicates that the Official Liquidator by its letter dated 21.9.2016 had requested the Officer In-charge (Land Records) Rajguru Nagar, Tal. Chakan, District Pune to carry out the work of demarcation of the aforestated land however the concerned authority did not take any steps in that behalf. For effective sale and/or realization of the amount it is necessary for the respondent No.2 Mr. Suraj Kowli to take effective steps for demarcating the property in question.

2. For the reasons stated in the affidavit in support of the application the respondent No.2 namely Mr. Suraj Kowli is hereby directed to take steps to demarcate the property mentioned in prayer clause (a) of the application and more particularly mentioned in Para (a) of the application as expeditiously as possible in any case within a period of two weeks from the date of receipt of this order.

3. Mr.Suraj Kowli is hereby directed to submit his report to the office of the Official Liquidator within a period of three weeks from the date of receipt of this Order without seeking any extension in that behalf.

4. Application is allowed in the aforesaid terms.

5. All the concerned to act on a copy of this order duly authenticated by the registry of this Court.

(A.S.GADKARI, J.)