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

OFFICIAL LIQUIDATOR REPORT NO.321 OF 2016
IN
COMPANY PETITION NO.572 OF 2013

M/s.Kotak Mahindra Bank Ltd.	...Petitioner
V/s.	
M/s.Arch Pharmalabs Ltd. (In liquidation)	...Respondent

Mr.Naushad Engineer for the Official Liquidator.

Mr.Vinod Sharma, Official Liquidator present.

Ms.Yogini D. Chauhan, Deputy Official Liquidator present.

Mr.Parikshit Desai for the Petitioner.

Mr.Mayur Khandeparkar with Tasheem Zariwala i/b Vidhi Partners for
M/s.Arch Pharmalabs Ltd.

Mr.Budhaditya Bhattacharya i/b S.Kumar for the Respondent No.1.

Ms.Minal Dedhia i/b Malvi Ranchoddas & Co. for the Respondent
No.2.

Mr.Rashmin Khandekar with Ms.Debshree Dey for J.M. Financial Arc.
Pvt. Ltd.

CORAM : R.D. DHANUKA, J.
DATE : 24TH FEBRUARY, 2017.

P.C. :-

1. Pursuant to the order passed by this Court on 27th
January, 2017, the learned Official Liquidator applied for clarification

of the order dated 13th June, 2016 passed by Shri Justice G.S. Patel. By an order dated 1st February, 2017, Shri Justice G.S. Patel has clarified the order dated 13th June, 2016 which indicates that the Official Liquidator was not directed to take physical possession of the properties of the respondents.

2. In view of the clarification issued by Shri Justice G.S. Patel by an order dated 1st February, 2017, in my view the directions sought by the Official Liquidator for issuing a direction to the secured creditors to take possession of the properties of the company in liquidation has become infructuous and does not survive. Official Liquidator's Report is accordingly disposed of. No order as to costs.

3. There is no dispute as on today that there is no stay granted by the Division Bench of the order passed by Shri Justice G.S. Patel on 13th June, 2016 permitting the Official Liquidator to take symbolic possession of the assets of the respondent company.

(R.D. DHANUKA, J.)