

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

**COMPANY APPLICATION NO.219 OF 2018
IN
COMPANY PETITION NO.918 OF 1999**

M/s CD Safety & Security Services Pvt. Ltd ... Applicant

In the matter between :

M/s Nikunj Exim Enterprises Pvt. Ltd. ... Petitioner

Versus

The Official Liquidator of M/s Metalco
India Ltd (in Liqn.) ... Respondent

.....

Ms. Molina Thakur for the Applicant.

Mr. Pankaj Srivastava, AOL present.

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CORAM : S.C.GUPTE, J.

DATE : 27 JULY 2018

P.C. :

. Heard learned Counsel for the Applicant and the Assistant Official Liquidator. This application seeks directions for payment of security charges dues to the applicant security agency appointed by the Official Liquidator for safeguarding the property of M/s Metalco India Limited (In Liqn.). The dues are claimed between the period September 2016 and December 2017. The dues as such are not disputed by the Official Liquidator. The stand taken by the Official Liquidator is that since the attendance sheets and photo identity cards of the security guards provided by the applicant are not been submitted by the applicant, hence, it was not possible to the Official Liquidator to examine the request for payment.

Learned Counsel submits that the requisite attendance sheets and identity proofs of the security guards shall be furnished by the applicant to the Official Liquidator. After these documents are furnished to the Official Liquidator, it shall be examined and considered for payment by the Official Liquidator within a period of four weeks of submission of the documents.

2 Since the applicant-agency has continued to be deployed for safeguarding property of the company (In Liqn.) even as of today, whilst scrutinizing the attendance sheets and identity proofs of the security guards, the Official Liquidator may consider even payment for the prospective period, i.e. December 2017 and until the date.

3 Company Application is disposed.

(S.C. GUPTE, J.)

Rajesh
Vasant
Chittewan

Digitally signed
by Rajesh Vasant
Chittewan
Date: 2018.07.30
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