

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

**COMPANY APPLICATION NO. 449 OF 2014
IN
COMPANY PETITION NO. 316 OF 1999**

Mr. Murarilal L. Chaturvedi & Ors. .. Applicants

In the matter between :

Mr. Ramesh Sareiya .. Petitioner

Vs.

The Official Liquidator for
M/s. Sampada Homes & Developers
Pvt. Ltd. .. Respondent

**WITH
COMPANY APPLICATION NO. 489 OF 2017
IN
COMPANY PETITION NO. 316 OF 1999**

Bomi P. Sachinwalla .. Applicant

In the matter between :

Mr. Ramesh Sareiya .. Petitioner

Vs.

The Official Liquidator for
M/s. Sampada Homes & Developers
Pvt. Ltd. .. Respondent

Dr. Abhinav Chandrachud i/b Sriraj Menon for applicants in CA/449/2014.

Mr. Samir Sarambalkar for applicant in CA/489/2017.

None for respondent.

Mr. Sunil Kaushik-Constituted Attorney of ex-directors present.

Mr. Mahendhar Aithe, company prosecutor for official liquidator present.

CORAM : K.R.SHRIRAM, J.
DATE : 8TH JANUARY 2018

P.C.

1 Further to the order dated 11th October 2017 read with order dated 4th December 2017, Shri Aithe, company prosecutor for official liquidator states that the liquidator has given notice in Free Press Journal (English) and Navshakti (Marathi), both Mumbai Edition on 9th December 2017 inviting objections for the application. Shri Aithe states that the official liquidator has not received any objection. Shri Aithe undertakes to file a report confirming publication of the notice in the two newspapers and the fact that no objections are received, within two weeks from today. Undertaking accepted. Mr. Aithe further states that the official liquidator's record shows that there are various creditors who have lodged their claims against the company (in liquidation) and the amount claimed totals to approximately Rs.12,50,000/- to Rs. 13,00,000/-.

2 Dr. Chandrachud appearing for applicants, on instructions from Mr. Sunil Kaushik, constituted attorney of ex-directors who is present in Court, states that applicants are ready and willing to discharge the liabilities of all creditors who have lodged claims against the company (in liquidation). In view of this undertaking, Shri Aithe states that the official liquidator has no objection to the application.

3 In the circumstances, the application is allowed in terms of prayer clauses (a) and (b) subject to applicants discharging their liability of all creditors to the satisfaction of the official liquidator.

4 Company application accordingly disposed.

5 Applicants to pay a sum of Rs. 10,000/- in each of the above applications to the official liquidator which amount to be paid within one week from today.

6 Mr. Sarambalkar for applicant in company application No.489 of 2017 undertakes to pay the amount of Rs. 25,000/- as directed in the order dated 4th December 2017 by 12:00 noon tomorrow, i.e., 9th January 2018. If this amount of Rs. 25,000/- is not paid, then this application will stand dismissed without further reference to the Court.

(K.R. SHRIRAM, J.)