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

COMPANY APPLICATION NO.430 OF 2018
IN
COMPANY PETITION NO.188 OF 2012

Radheshyam Mittal ....Applicant

Vs.

Official Liquidator and Anr. ....Respondents

Mr. Sagar Sheth a/w. Mr. Pratham Masurekar I/b. R.V. Legal for applicant.
Mr. Kunal Naik I/b. Mr. Madhav J. Jamdar for original petitioner.
Ms. Shaista Pathan I/b. Yusufs and Associates for ex-directors.
Mr. Mahendhar Aithe, Company Prosecutor for Official Liquidator present.

CORAM : K.R.SHRIRAM, J.
DATE : 12th SEPTEMBER 2018

P.C.:

1 Mr. Aithe, Company Prosecutor for Official Liquidator states that he has inspected the documents and Official Liquidator is satisfied that the premises situated at Unit No.908, 9th Floor, Building No.4, Ijmima Imitation Jewellery Market Co-operative Society Limited, Ijmima Complex, Taheja Metroplex, Link Road, Malad (West), Mumbai 400 064 (the said premises) actually belongs to applicant and the company (in liquidation) was occupying the said premises on leave and license basis. Mr. Aithe states that applicant should be directed to hand over the security deposit to Official Liquidator and should also be directed to assist Official Liquidator in shifting the books and registers and other movables of the company (in liquidation) to Official Liquidator's godown.

2 Mr. Sheth, counsel for applicant states that the security deposit amount is Rs.1,62,000/- and this amount will be handed over to Official Liquidator within two weeks and within this two weeks period also move the movables and the books and registers belonging to the company (in liquidation) to Official Liquidator's godown in consultation with Official Liquidator. Mr. Aithe states that Official Liquidator will depute his representative to the said premises to prepare an inventory of all those movables belonging to the company (in liquidation). Mr. Sheth states that within four weeks from today, applicant will also lodge his affidavit of proof of debt with Official Liquidator, who shall consider the same in accordance with law.

3 The ex-directors shall also remain present at the time and date that Official Liquidator fixes for taking inventory. Ms. Pathan also states that she will communicate this order to the ex-directors and advise them that they shall remain present and comply with the directions of this Court.

4 Application accordingly stands disposed.

Gauri Amit Gaekwad Digitally signed by Gauri Amit Gaekwad Date: 2018.09.17 17:42:42 +0530

(K.R. SHRIRAM, J.)