

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

COMPANY APPLICATION NO. 303 OF 2018

IN

OLR NO. 70 OF 2012/VOL.LIQN.

In the matter of Companies Act I of
1956

And

In the matter of Merino Homeland
Pvt. Ltd.

(in Voluntary Liquidation)

Shree Naman Developers Pvt. Ltd. .. Applicant

In the matter between :

Shree Naman Developers Pvt. Ltd. ...Petitioner

Vs.

Mr.Girish M. Limbachiya & Anr. .. Respondents

Mr.Mayur Khandeparkar a/w. Ms.Snehal Singh and Ms.Megha Jhota I/b
Kanga and Co. for applicant.

Mr.Girish M. Limbachiya-Private Liquidator present in Court.

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

CORAM : K.R.SHRIRAM, J.

DATE : 9TH AUGUST 2018

P.C.

Heard Shri Khandeparkar and also considered the affidavit in support and further affidavit on one Ms.Amisha S. Shah, affirmed on 6th August 2018. For reasons mentioned therein, application is allowed in terms of prayer clauses (a) and (b) which read as under :-

“(a) That the Hon'ble Company Court be pleased to stay the effect, implementation and operation of the order dated 2nd February, 2012, [whereby Merino Homeland Pvt. Ltd., (“the Company”) has been dissolved and as a consequence thereof its name has been struck off from the records of the Registrar of Companies] until the completion of the execution and registration process of the Deed mentioned in prayer (b) hereinbelow;

(b) That the Hon'ble Company Court be pleased to direct/authorize the Voluntary Liquidator Mr.Girish M. Limbachiya, to execute the register, as the custodian/sole trustee of the Company and its assets, an appropriate Deed in favour of the Applicant, under article 59(d) of the Schedule I of the Maharashtra Stamp Act, 1958 as the beneficiary/shareholder of the Company, allocating/transferring all that pieces and parcel of freehold land or ground admeasuring approximately 12,672.42 sq.yard equivalent to 10594 sq. meters and bearing Survey Nos.647, 647/1 to 6, 648, 648/1, 650, 651, 651/1, 652, 653, 654, 654/1 to 6, 660/1 to 5, 661 and 662 situate, lying and being at Village Ambivali, Jayprakash Road, Andheri (West), Mumbai 400 058 together with the structures standing thereon, free from all encumbrances.”

Application accordingly disposed.

(K.R. SHRIRAM, J.)