

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

**OFFICIAL LIQUIDATOR'S REPORT NO.71 OF 2018
IN
COMPANY PETITION NO.819 OF 2004**

In the matter of Companies Act,
I of 1956

And

In the matter of Mafatlal Gagalbhai
Textiles Limited (In Liqn.)

Atmaram Maneklal Industries Limited)....Petitioner

Mr.P.Atchuta Ramaiah-Official Liquidator along with Mr.Mahendhar
Aithe-Company prosecutor present.

Ms.Manju Sharma for Ex-director Girish Parikh.

Ms.Prachi Dhanani I/by Veritar for legal heirs of Late Hansraj Dilip
Dwarkadas.

CORAM : K.R.SHRIRAM,J

DATE : 1.8.2018

P.C.:-

1. Today only 2 ex-directors viz. Mr.Girish C.Parikh and Mr.Hansraj Dilip Dwarkadas are represented. Ms.Sharma for Mr.Girish C.Parikh relied upon the documents annexed to the Report at Exh.J2 and submits that Mr.Girish C.Parikh resigned as a director of the company on 22.11.1999. Ms.Sharma points out that form 32 dated 14.12.1999 is annexed to the Report at page-53 and page-52 is the receipt dated 22.12.1999 of filing form no.32. Ms.Sharma states that name of the company earlier was Mihir Textiles Limited. In the report

I do not see anything why this has not been accepted. I am satisfied that Mr.Girish C.Parikh has resigned on 22.11.1999. Therefore, to that extent, his name be struck off from the list of Noticees.

2 Similarly in paragraph-12 of the Report, it is stated that the Liquidator has received a letter from the Registrar of Companies on 3.2.2016 furnishing latest details of form 32, annual returns etc. from which it appears that Mr.Hansraj Dilip Dwarkadas who was appointed as director on 4.9.1981 resigned on 11.4.1995. Ms.Dhanani appearing for the legal heirs of Mr.Hansraj Dilip Dwarkadas states that Mr.Dwarkadas who was a member of the bar and practicing advocate in fact died on 11.4.1995. Therefore, question of issuing any notice to him does not arise. Once again there is nothing in the Report as to why despite receiving letter from the Registrar of Companies, copy whereof is at Exh.K, K1 & K2 informing that Shri Dwarkadas resigned on 11.4.1995 should a notice be issued to him. Therefore, notice as against Mr.Hansraj Dilip Dwarkadas be cancelled.

2 So far as others are concerned, in view of the above order passed, Official Liquidator seeks leave to withdraw the Report with liberty to file fresh Report.

3 Official Liquidator's Report dismissed with liberty to file
fresh Report. Fresh Report to be filed by 8.8.2018.

Jahagirdar
Kiran
Ganesh

(K.R.SHRIRAM,J)

Digitally signed
by Jahagirdar
Kiran Ganesh
Date: 2018.08.02
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