

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMPANY APPLICATION NO.344 OF 2018
IN
COMPANY PETITION NO.747 OF 2014**

Mobile Repair Service City India Private LimitedApplicant

IN THE MATTER BETWEEN :

M/s. Ncube Logistic and Warehousing Pvt. Ltd.Petitioner

Vs.

M/s. Future Axiom Telecom LimitedRespondent

Mr. Siddharth Ranade a/w. Ms. Swati Narmaulia I/b. Trilegal for applicant.
Ms. Aarti Kulkarni I/b. Mr. Sachin Masurkar for original petitioner.
Mr. Mahendhar Aithe, Company Prosecutor for Official Liquidator present.

CORAM : K.R.SHRIRAM, J.

DATE : 5th SEPTEMBER 2018

P.C.:

1 Mr. Aithe, Company Prosecutor for Official Liquidator states that this application has been taken out on behalf of Mobile Repair Service City India Private Limited without any authority from any party because Mobile Repair Service City India Private Limited is a wholly owned subsidiary of M/s. Future Axiom Telecom Limited, the company (in liquidation). Mr. Aithe states that Official Liquidator, who is in-charge of the 100% shareholding of Mobile Repair Service City India Private Limited, has not given any authority to any applicant to take out this application. Mr. Ranade, counsel for applicant agrees.

2 Therefore, application is not maintainable and hence dismissed.

3 At the same time, Official Liquidator to take out Official Liquidator's Report as to what Official Liquidator proposes to do with Mobile Repair Service City India Private Limited. The ex-directors are directed to file statement of affairs within three weeks from today and if they have already filed, to rectify all errors in the statement of affairs filed. All ex-directors shall approach the office of Official Liquidator during the course of this week to ascertain whether the statement of affairs filed is in accordance with law and if not, remove all objections/rectify the same.

4 If within three weeks, the ex-directors do not file an acceptable statement of affairs, then Official Liquidator shall take steps under Section 454 of the Companies Act 1956 against the ex-directors without further reference to this Court.

Gauri
Amit
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(K.R. SHRIRAM, J.)