

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

COMPANY PETITION NO.1157 OF 2015

Sky Touch Infrastructure Pvt. Ltd.)....Petitioner

V/s.

Madhumilan Fincorp Limited)....Respondent

Mr.Manish Bohra i/by A.S.Khan & Associates for petitioner.

Ms.Dipti Shah for respondent.

CORAM : K.R.SHRIRAM,J

DATE : 9.2.2018

P.C.:-

1 Ms.Dipti Shah appearing for the company states that the company is not in a position to pay the petitioners' claim of Rs.3,50,000/- and the company be ordered to be wound up. Therefore, petition disposed in terms of prayer clauses-(a) and (b) which read as under :-

“(a) That the Hon'ble Court may be pleased to admit and allow the claim made by the applicant in the present application and be pleased to issue necessary directions to the official liquidator for payment of the outstanding dues of the applicant from the assets of the Company Madhumilan Fincorp Limited having its Registered office at 22nd 3rd Floor, Balaji House, Shri Bhagratacharya Naryanacharya Trust Building, 38/42, Popatwadi, Kalbadevi Road, Mumbai-400 002 ;

(b) That the Official Liquidator, High Court, Bombay or some other fit and proper person be appointed as the

Liquidator of the assets, properties and income as also the business of the said Respondent Company, with all powers under the Companies Act, 1956 ”

2 The Official Liquidator is directed to initiate investigation into the affairs of the Company ordered to be wound up so as to find out if any fraud/diversion of fund etc. is carried out by the Company to be wound up by the Directors/Key Managerial Personnel and for this purpose, Official Liquidator may engage the services of a Chartered Accountant to carry out such investigation/inquiry. Official Liquidator to submit a report to this Court after carrying out such investigation/inquiry under the provisions of Section 455 of the Companies Act, 1956.

(K.R.SHRIRAM,J)