

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

**COMPANY APPLICATION NO.11 OF 2018
IN
COMPANY PETITION NO.382 OF 1999**

Premchand Ashok Kadappa)....Applicant

IN THE MATTER BETWEEN :

Sou.Sunanda Ashok Kadappa & Ors.)....Petitioners
V/s.

Official Liquidator of M/s.Spark Metalloy Pvt. Ltd.)....Respondent

Mr.Deepak Pandey for the applicant.

[Mr.Mahendhar Aithe-Company Prosecutor for Official Liquidator present].

CORAM : K.R.SHRIRAM,J

DATE : 29.8.2018

P.C.:-

1. Mr.Aithe Company Prosecutor states that the Official Liquidator has not attached any immovable or movable properties or lands or cash or books of account of the company in liquidation. Mr.Aithe also states that the Official Liquidator invited claims and has not received any claims. Therefore, as the relief sought is to direct the Official Liquidator to release and hand over all the assets and the Official Liquidator states that he has not taken possession of any of the assets, the application does not survive.

2. In any event, there is nothing on record in the affidavit in support to indicate that the Liquidator has taken possession of the assets of the company.

Application therefore, dismissed.

Jahagirdar
Kiran
Ganesh

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Kiran Ganesh
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(K.R.SHRIRAM,J)