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

COMPANY APPLICATION (LODGING) NO.666 OF 2018
IN
COMPANY PETITION NO.224 OF 1990

In the matter of Companies Act, 1956 :

And

M/s.Maneesha Instruments Pvt. Ltd. (In Liquidation)

M/s.Maneesha Instruments Pvt. Ltd.

...Petitioner

And

Western Chemical Industries (P) Ltd.

...Applicant

V/s.

The Official Liquidator -

M/s.Maneesha Instruments Pvt. Ltd.

...Respondent

Mr.Suhas Sawant, Deputy Official Liquidator

Mr.Nigel Quraishy for the Applicant in the Company Application.

CORAM : R.D. DHANUKA, J.

DATE : 12TH DECEMBER, 2018.

P.C. :-

1. This Court by an order dated 31st July, 2008 had allowed the Company Application No.1069 of 2008 in terms of prayer clause (a) of the said company application. By another order dated 9th May, 2013 passed by this Court in Company Application No.222 of 2013, the Official Liquidator was directed to execute the Deed of Assignment in favour of the applicant within a period of six weeks

from the date of the said order. It is the grievance of the applicant that despite the orders passed by this Court, the learned Official Liquidator has not executed the Deed of Assignment in favour of the applicant.

2. Learned Official Liquidator invited my attention to a letter dated 10th September, 2018 addressed by the office of the learned Official Liquidator to the Regional Officer, Maharashtra Industrial Development Corporation (MIDC) requesting the authority to de-seal the property in question. The said letter further indicates that the MIDC shall inform the office of the learned Official Liquidator that the learned Official Liquidator is in process of executing the Deed of Assignment in favour of the applicant. Learned Official Liquidator states that there are no other requisitions left to be complied with by the applicant. The statement is accepted. Learned counsel appearing for the applicant states that till the Deed of Assignment is executed in favour of the applicant, the MIDC would not de-seal the premises.

3. Learned Official Liquidator is accordingly directed to comply with the orders passed by this Court within two weeks from today and shall furnish a copy thereof to the MIDC to de-seal the premises. Upon the learned Official Liquidator executing the Deed of Assignment in favour of the applicant, the MIDC to de-seal the premises in accordance with law.

4. Place the matter on board for reporting compliance on 7th January, 2019.
5. The company application is disposed of in aforesaid terms.
6. All the parties as well as the learned Official Liquidator and the MIDC to act on the authenticated copy of this order.

(R.D. DHANUKA, J.)