IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

Official Liquidator Report No.12 of 2015

M/s. Shivmangal Ispat Pvt. Ltd.

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Office notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's Orders

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CORAM : S.B. SHUKRE, J.
DATE : 2nd FEBRUARY, 2018.

Heard Shri Anjan De, learned Counsel for the Official Liquidator.

Perused the report of the Official Liquidator. The order of winding up of the company has been passed as per the report on 08/05/2015 by this Court. Therefore, in view of the provisions of Section 454 of the Companies Act, 1956, it was necessary for the Ex-Director of the Company under liquidation to file statement as to the affairs of the Company and submit the same to the learned Official Liquidator within a period of 21 days from the date of the order of winding up of the Company. The Official Liquidator Report discloses that such statement has not been filed even till date. I am, therefore, satisfied that the case has been made out by the learned Official Liquidator to file criminal complaint against the Ex-Director of the Company under Section 454(5) of the Companies Act, 1956.

Accordingly, this application is allowed and permission to file complaint in terms of prayer clause (A) is granted to the learned Official Liquidator. The application is disposed of.

JUDGE

**sdw*