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

COMPANY APPLICATION NO.143 OF 2019  
IN  
COMPANY PETITION NO.33 OF 2016

Schindler India Pvt. Ltd. ...Applicant

**IN THE MATTER BETWEEN :**

Flaktwoods ACS (India) Pvt. Ltd.  
Known as Flaktgroup India Pvt. Ltd. ...Petitioner

V/s.  
Transtech Turnkey Pvt. Ltd. ...Respondent

Mr.Chirag Mody with Ms.Saloni Shah i/b M/s.DSK Legal for the Applicant.

Mr.Mahendhar Aithe, Company Prosecutor for the Official Liquidator present.

**CORAM : R.D. DHANUKA, J.**  
**DATE : 12TH DECEMBER, 2019.**

**P.C. :-**

1. By this company application, the applicant seeks leave under section 446 of the Companies Act, 1956 to implead the Official Liquidator, High Court, Bombay in Commercial Suit No.25 of 2015 and to continue the said proceedings after impleading the Official Liquidator as party.

2. Mr.Mody, learned counsel appearing for the applicant states that his client would deposit requisite amount towards the expenses on the professional fees and other expenses incurred, if any, by the Official Liquidator in engaging an advocate in the said

proceedings and towards other administrative expenses. Statement is accepted.

3. Learned Company Prosecutor states that the applicant may be directed to deposit a sum of Rs.1,00,000/- initially and as and when the said amount is exhausted, the Official Liquidator would send a communication to the applicant to deposit further amount. Statement is accepted.

4. The applicant is accordingly directed to deposit a sum of Rs.1,00,000/- initially with the Official Liquidator within three weeks from today and shall further deposit the amount as and when any requisition by the Official Liquidator is issued within two weeks from the date of such communication, without fail.

5. On the aforesaid condition, the company application is made absolute in terms of prayer clause (a). There shall be no order as to costs.

6. The Official Liquidator is permitted to engage the services of an advocate of his choice and to pay his fees out of the amount that may be deposited and also to incur administrative expenses, if any and other expenses.

**(R.D. DHANUKA, J.)**