

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

OFFICIAL LIQUIDATOR'S REPORT NO.33 OF 2019

IN

COMPANY PETITION NO.778 OF 2005

WITH

COMPANY APPLICATION NO.84 OF 2019

COMPANY APPLICATION NO.165 OF 2019

In the matter of Companies Act I of 1956

And

In the matter of Kamani Metals & Alloys
Limited (In Liquidation)

B.I.F.R.

)....Petitioner

Mr.S.C.Naidu i/by B.S.Nayak for applicants.

Dr.Sneha Goyal for Triveni Kulkarni in OLR.

Ms.Meena H.Doshi for Kamani Metals & Alloys Ltd.

CORAM : K.R.SHRIRAM,J

DATE : 30.8.2019

P.C.:-

1. Mr.Aithe-Company Prosecutor for Official Liquidator informs the Court that in view of the order passed by the appeal court on 8.8.2019, in Appeal No.163 of 2016, the report will have to be withdrawn, the claims re-adjudicated and a fresh report submitted to the court. Mr.Naidu states that his Company Application No.84 of

2019 is filed basically to challenge part of the adjudication made by the Official Liquidator and if Official Liquidator is going to re-adjudicate the claims in view of the orders passed by the Division Bench, Mr.Naidu would withdraw the Company Application, raise all points before the Official Liquidator and if still un-happy, come back to the court.

2. Ms.Doshi states she has her own grievances against adjudication order based on which this report has been filed. Ms.Doshi states that while the Liquidator re-adjudicates, her submissions be also considered. Company Prosecutor and Mr. Naidu have no objection.

3. In the circumstances, report is dismissed as withdrawn. Liberty to Mr.Naidu's client and Ms.Doshi's client to make representation to the Official Liquidator who shall consider all the representation and pass adjudication order in accordance with law. If any of the party is aggrieved, they can take such steps as advised after the adjudication order is passed.

4. In view of the above, Company Application No.84 of 2019 disposed.

5. In view of the above, Ms.Doshi seeks leave to withdraw the Company Application (L) No.165 of 2019. The same dismissed as withdrawn.

6. Official Liquidator to complete the adjudication process at the earliest.

(K.R.SHRIRAM,J)