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

**OFFICIAL LIQUIDATOR'S REPORT NO.142 OF 2019
IN
COMPANY PETITION NO.1125 OF 2001**

In the matter of HES Ltd. (In Liquidation)

B.I.F.R.

... Petitioner

Mr. Mahendhar Aithe, Company Prosecutor for Official Liquidator.

CORAM: R. I. CHAGLA, J.
DATE: 16TH OCTOBER, 2019

PC:-

1. The Official Liquidator's Report has been taken up for consideration.
2. The Official Liquidator seeks directions from this Court to grant extension of time of three months for distribution of dividend @ 1.65 paise in a rupee to 287 workmen and 100 paise in a rupee to EPFO from the date on which the directions / orders are given by this Court and to allow the Official Liquidator to close the separate dividend account which had been opened for a sum of Rs.47,52,918/- for distribution of dividend @ 100 paise in a rupee to EPFO and @ 1.65 paise in a rupee to workmen. Further, directions sought by Official Liquidator to open a new separate dividend account in the name of "The Dividend Account of HES

Ltd. (In Liquidation) by its Official Liquidator” for an amount of Rs.47,52,918/- with Punjab National Bank and to transfer the unpaid / unclaimed amount, if any, to the “Companies Liquidation Account” maintained with the Registrar of Companies under Section 555 of the Companies Act, 1956. The Official Liquidator Report No.300 of 2017 seeking directions to the Official Liquidator to declare and pay the dividend @ 100 paise in a rupee to EPFO and @ 1.65 paise in a rupee to the 287 workers had been allowed by this Court on 7th February, 2018.

2. The explanation of Mr. Arun Barapatre, Junior Technical Assistant in the Office of the Official Liquidator has not been satisfactory and hence the order dated 7th February, 2018 has not been complied with. The Officer Shri Arun Barapatre, Junior Technical Assistant is warned that such non-compliance of the Order cannot be tolerated.

3. Accordingly, the Official Liquidator’s Report is made absolute in terms of prayer clause (a) and is disposed of.

(R I. CHAGLA, J.)