

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

OFFICIAL LIQUIDATOR REPORT NO. 217 OF 2019

In the matter of Companies Act,
I of 1956;

And

In the matter of Various
Companies (In Liquidation)

Mr. S.D. Patil, Deputy Official Liquidator, present.

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

Mr. Shrinivas Shetty, Company Paid staff, present.

CORAM : R.I. CHAGLA, J.

DATED : 13th SEPTEMBER, 2019.

P.C. :

1 This is a Report filed by the Liquidator. In paragraph 8 of the report it is stated that Shri S.M. Shetty, Company paid Peon, is entitled for promotion to the post of Non-Matriculate Clerk w.e.f. 01.08.2006 in compliance of the order of this Court dated 04.01.2016 and order of the Gujarat High Court dated 09.05.2018 passed in Criminal Revision Application No.353 of 2017. It is further stated that Shri S.M. Shetty is entitled to the further entitlement which has been mentioned in paragraphs 9, 10, 11 and 12 of the report as a result of his suspension order being set

aside and which has been confirmed by the Gujarat High Court. He has been discharged in the Criminal proceeding.

2 Accordingly, it would be appropriate to grant the relief sought for in the Official Liquidator's Report -

- “i) To permit the Official Liquidator to promote Shri S.M. Shetty, Company Paid Peon to the post of Non-Matriculate Clerk w.e.f. 1.08.2006,
- ii) To permit the Official Liquidator to approve next MACP that may be granted w.e.f. 01.08.2013 on completion of 10 years of service from the date of 1st ACP on 01.08.2003,
- iii) To permit the Official Liquidator to approve difference of emoluments amounting to Rs.2,50,905/-,
- iv) To permit the Official Liquidator to approve Ex-Gratia 15% payment of gross salary (i.e. Bonus) of Rs.28,536/-,
- v) To permit the Official Liquidator to approve an amount of Rs.1,47,078/- being staff subscription that may be allowed to be paid to LIC from his present difference of emoluments.”

3 The Official Liquidator Report is accordingly disposed of.

(R.I. CHAGLA, J.)