

Appl. No.4592 of 2019
in CS No.146 of 2014

R.SUBRAMANIAN, J.

This application has been filed seeking a direction to the Registry to handover 16 keys deposited by the Commissioner with the Registry of this Court to the Landlord, Mr.G.Madhu, who is currently residing at No.195, 4th Cross Road, B Channesandra, Banaswadi Post, Bangalore 560 043.

2. Originally an Advocate Commissioner was appointed by this Court to take inventory of all the assets and the property of the first respondent lying in the rented premises. Pursuant to the order, the Advocate Commissioner went to the premises, took the inventory of the available assets in the premises of the factory of the Company situate at No.673, 10th Main, 7th Cross, Hall II Stage, Indira Nagar, Bangalore 560 008. The Advocate Commissioner filed a Final Report on 04.08.2014. Along with the said report, he also handed over the entire set of Keys, totally, 16 in number, to this Court on 04.08.2014.

3. The Company, namely, the first respondent was wound up, pursuant to an order of this Court in CP No.187 of 2015 and the Official Liquidator was directed to take possession of the assets and liability of the

Company. The Official Liquidator has filed a Report on 19.12.2018, in this Court stating that he had not taken possession of the premises of the Registered Office of the first respondent Company. The Liquidator would further submit that the Advocate Commissioner had already taken possession and deposited the Keys to this Court. Now the Company has been wound up and this Court had passed order on 22.06.2018, discharging the Liquidator. The fact that the Liquidator has been discharged has been recorded by this Court in the order dated 20.12.2018 made in the Company Application No.237 of 2018.

4. I have heard Mr.A.K.Mylsamy, learned counsel appearing for the applicant.

5. From the facts narrated above, it is clear that the first defendant Company has become sick and was later wound up. The Official Liquidator was also discharged. Therefore, there is no useful purpose for retaining the keys of the premises in which the Company was functioning earlier.

6. Hence, the Registry is directed to hand over the keys to the

Advocate Commissioner, who in turn will hand over the same to the owner of the premises, namely Mr.G.Mathu, S/o. G.Gopala Reddy, residing at No.195, 4th Cross Road, B. Channasandra Banaswadi Post, Bangalore 560 043, under proper identification and acknowledgment.

7. The applicant shall pay the Commissioner a remuneration of Rs.25,000/-, and the expenses of the Commissioner shall be borne by the applicant.

8. The Registry is directed to issue the Warrant of Commission to the learned Advocate Commissioner by 12.07.2019.

jv

09.07.2019

Note: Issue Order Copy on 12.07.2019.

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