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CA No.89 of 2018 in
CA No.265 in/and
CP No.5 of 2017

Vijay Kumar A. patel & others Vs. M/s Goldenland Development (India) Ltd.

Present: Mr. Vinay Pandey, Advocate, with
Mr. O.P.Sharma, Official Liquidator.

None for the applicant in CA No.89 of 2018.

Mr. Birinder Singh Khehar, Advocate,
for respondent No.1 in CP No.5 of 2017.

Mr. Puneet Kansal, Advocate.

CA No.89 of 2018

The grievance/s raised by the applicant i.e. ex-Director in the application are superfluous in view of the presence of the Official Liquidator, who has himself moved such a petition i.e. CP No.5 of 2017, which is also listed for hearing today and will be considered on merits.

Accordingly, no orders are required to be passed in the instant application and the same is ordered to stand disposed of.

CA No.265 of 2017

Exemption application is allowed as prayed for.

CP No.5 of 2017

The prayer in this petition is for a direction to respondents No.1 to 5 for getting the land mutated in favour of the company in liquidation.

Heard.

The request is bona fide and genuine. The same is accepted. Respondents No.1 to 5 are directed to cause the mutation of the property in the name of the company in liquidation.

To quell the anxiety of Mr. Khehar that the title of the property of the company in liquidation is in issue in a case before the Allahabad High Court with order Annex R-2 passed therein, it may be observed that mutation of property is not a declaration of ownership. Mutation only means that who pays the land revenue and, therefore, he cannot be aggrieved by an order of mutation passed today. Mutation can always be changed by a court order.

Accordingly, the instant petition is disposed of. The Tehsildar, Meerut Sadar (UP) is directed to grant sanction and enter mutation in favour of M/s Golden Land Development (India) Limited (in liquidation) without any delay.

A photocopy of this order be placed on the connected file.

11.09.2019
Vimal

[RAJIV NARAIN RAINA]
JUDGE