

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMPANY APPLICATION NO. 280 OF 2019
IN
COMPANY PETITION NO. 488 OF 2015

Gorav Intertrade Private Limited Applicant
VERSUS
The Official Liquidator, High Court & Anr. Respondents

Mr.Yatin Rasiklal Shah for the Applicant.

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

CORAM : R.D. DHANUKA, J.

DATE : 3rd JANUARY, 2020

P.C.

The applicant seeks leave under section 446(i) of the Companies Act, 1956 to implead the Official Liquidator as a party to the execution proceedings before the Calcutta High Court. The applicant has already filed affidavit of debt before the Official Liquidator. Learned counsel for the applicant does not dispute that the applicant is one of the unsecured creditor against the company in liquidation.

2. Mr.Shah, learned counsel for the applicant on instruction states that his client is not ready to deposit any amount if the Official Liquidator is impleaded as a party to the execution application and if any expenses are required to be incurred towards fees and other expenses to defend the said execution proceedings. In view of the statement made by the learned counsel for the applicant, the application for seeking leave is rejected. No order as to costs.

[R.D.DHANUKA, J.]