

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMPANY APPLICATION NO.166 OF 2019
IN
COMPANY PETITION NO.1049 OF 2015**

Lakshachandi Housing & Infrastructure Pvt. Ltd.Applicant/Petitioner
V/s.

Gigaplex Developers Pvt. Ltd. & Ors.Respondents

Mr. Kalpesh Joshi for applicant.
Mr. Aditya Pimple for Official Liquidator.
Mr. Mahendhar Aithe, Company Prosecutor present.

**CORAM : K.R. SHRIRAM, J.
DATED : 19th JANUARY 2021**

P.C. :

1 At the outset, Mr. Joshi appearing for applicant states that his instructions are that respondent nos.2 to 6 have filed the statement of affairs with the Official Liquidator. Mr. Pimple is not certain for want of instructions.

2 At the same time, Mr. Joshi states that HDFC Limited is a secured lender of the company (in liquidation) and have taken steps under the provisions of SARFAESI Act. According to Mr. Joshi the dues of HDFC Limited is hardly 20% of the value of the entire property of the company (in liquidation) and the Official Liquidator should do something about it. Mr. Pimple states that if HDFC Limited is going to sell the property, they will have to give notice to the Official Liquidator and keep the Official Liquidator in the loop during the entire process. If the Official Liquidator is advised that his interference is required, Official Liquidator may approach the DRT under

Section 17 and file objections. Likewise, Mr. Joshi states that if advised even applicant may file such an objection before the DRT. The objections will be considered by the DRT in accordance with law.

3 In any event, Mr. Pimple states that he will advise the Official Liquidator to address a communication to HDFC Limited seeking a status on the SARFAESI proceedings. HDFC Limited shall within two weeks of receiving the communication from the Official Liquidator respond to the Official Liquidator giving all details and no excuse from HDFC Limited will be entertained.

4 In view of the above order, Mr. Joshi states that the company application can be disposed.

5 Company Application accordingly stands disposed.

(K.R. SHRIRAM, J.)

Gauri A.
Gaekwad

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