

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
OFFICIAL LIQUIDATOR'S REPORT NO.12 OF 2021
IN
COMPANY PETITION NO.385 OF 2002**

In the matter of Companies Act, I of
1956

And

In the matter of Swadeshi Mills
Company Limited (In Liqn.)

B.I.F.R.

....Petitioner

**WITH
INTERIM APPLICATION (L) NO.5399 OF 2020
IN
COMPANY PETITION NO.385 OF 2002**

Vishwanath Namdeo Patil and Ors.

....Applicants

IN THE MATTER BETWEEN :

BIFR

....Petitioner

V/s.

M/s. Swadeshi Mills Co. Ltd. (In Liqn.)
through Official Liquidator and Ors.

....Respondents

Mr. Aditya Pimple for Official Liquidator.

Mr. Mahendhar Aithe, Company Prosecutor present.

Ms. Jane Cox i/b. Ms. Sudha Nivedha for workmen and for applicant in IAL/
5399/2020.

Mr. Cyrus Ardeshtir i/b. Mr. Amir Arsiwala for respondent nos.2 and 3.

Ms. Madhavi Narulli i/b. Mr. Nikhil Mengde for applicant in IAL/7681/2020
(RMMS).

CORAM : K.R.SHRIRAM, J.

DATED : 23rd FEBRUARY 2021

P.C. :

1 Heard the counsel. All the four counsel state that prayer
clauses – (a) to (e) of the Official Liquidator's Report be granted.

2 Mr. Pimple states that in prayer clause – (a) of the Official Liquidator’s Report, the figure “2833” should be corrected to read as “2388”. Mr. Pimple also states that the amount mentioned in prayer clause – (a) will be credited to the individual account of each of the 2388 and 508 workers and not to the Union or the Advocates. Statement accepted.

3 In view of the above, Official Liquidator’s Report is allowed and accordingly disposed in terms of prayer clauses – (a) to (e).

4 The amount mentioned in prayer clause – (b) of the Official Liquidator’s Report shall be released upon Grand View Estates Pvt. Ltd. furnishing an undertaking to the Official Liquidator to bring back the amount paid alongwith interest at such rate the Court may direct as and when called upon by the Official Liquidator within two weeks of receiving a communication from the Official Liquidator.

5 In view of the above order, interim application (lodging) no.5399 of 2020 in company petition no.385 of 2002 also stands disposed.

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(K.R. SHRIRAM, J.)