

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

CIVIL APPLICATION (CAO) NO. 479/2021 IN CIVIL APPLICATION (L) NO. 20/2018
IN OFFICIAL LIQUIDATOR REPORT NO. 15/2016 IN COMPANY PETITION
NO. 05/2001

Gopal s/o Brijmohan Jhunjhunwala V/s The Official Liquidator.

 Office notes, Office Memoranda of
 Coram, appearances, Court's orders
 or directions and Registrar's orders.

Court's or Judge's Orders

Shri R.L. Khapre, Senior Advocate with Shri D.R. Khapre, Advocate for applicant.
 Dr. Shri Anjan De, Advocate for Respondent (Official Liquidator)

CORAM : S.M. MODAK, J.

DATE : 06/10/2021.

1. Heard learned Senior Advocate, Shri R.L. Khapre for the applicant/successful bidder and learned Advocate Shri Anjan De for the Official Liquidator.

2. This Court as per the order dated 10/08/2018 passed in Official Liquidator Report No. 15/2016 has confirmed the sale in favour of the applicant.

3. This application pertains to the execution of sale-deed in respect of plot No.143. It is true that earlier there was an encroachment on that land. The Official Liquidator has followed up with the Police attached to Ramdaspeth Police Station for removal of the encroachment. So also, it was informed to the encroacher to remove it. Now, the encroachment is removed. The applicant is satisfied about that.

4. The Official Liquidator as per his letter dated 19/07/2021 have informed to the applicants to deposit balance

sale confirmation amount to the tune of Rs. 90,46,000/-. The applicants vide their letter dated 02/08/2021 have informed about payment of entire consideration. The details are given in the said letter. They have enclosed demand draft to the tune of Rs. 86,78,490/-. An amount of Rs. 97,510/- is deducted towards tax at source. Certificate is handed over to the Official Liquidator. He admits both the things. In this manner, entire consideration is paid.

5. Both the parties have exchanged their draft sale-deed and there is a consensus amongst them. In view of that, the following order is passed:

ORDER

- a) The Official Liquidator is directed to execute the sale-deed in respect of Plot No. 143 situated at Taluka and District - Akola mentioning the total consideration of Rs. 97,51,000/- (Rupees Ninety Seven Lakh Fifty One Thousand only) within one month from today.
- b) Both the parties are directed to fix the date of execution and registration of the sale-deed by mutual consent.
- c) Application is disposed of.

JUDGE