

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

OFFICIAL LIQUIDATOR REPORT NO. 22/2021

Official Liquidator V/s Nil

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

Court's or Judge's Orders

Shri K.S. Reddy, Official Liquidator in person.
Dr. Shri Anjan De, Advocate for O.L.R.

CORAM : S.M. MODAK, J.

DATE : 27/10/2021.

It is not on board. Now it is taken on board.

Heard the learned Advocate Shri Anjan De for the Official
Liquidator.

Read the order dated 02/11/2018, 20/04/2018 and
03/11/2020. By those orders, the present Company Paid Staff by
name Jitendra D. Mangre has been continued time to time. His
appointment is about to expire on 08/11/2021.

The Office of Official Liquidator is in need of one more
staff, considering the pendency of Liquidation Work. As per the Rule
308 of the Companies (Court) Rules, 1959, the Company Court is
empowered to sanction the staff on such salary and allowances as the
Court may deem appropriate.

There is a reason to believe that the services of
Shri Jitendra D. Mangre are required for further period of one year.
As observed by the Division Bench of this Court on 20/4/2018 in Civil
Application (CAL) No. 05/2018 the terms and conditions of Company

Paid Staff will be as per the Seventh Pay Commission.

While hearing this Report, the query was made are there any guidelines for the appointment of such Company Paid Staff. It is told that there are no written guidelines but such appointments are made on the basis of practice prevailing since long. If any appointment is made, generally qualification, experience and age are the general criterias. Ultimately, these criterias are there in order to have transparency. This Court does not want to give any guidelines in that behalf, as the Department of Company Affairs in the memorandum dated 14/09/2011 have already directed the Regional Directors and Official Liquidator to submit the alternate plan. It is not made clear whether such plans are prepared. When in future such issue will arise, at that time the Official Liquidator to place on record any such guidelines.

In view of that, the following order is passed:-

ORDER

The services of Company Paid Staff Shri Jitendra Mangre is extended for the period of one year to be effected from 08/11/2021 on the same terms and conditions as mentioned earlier in the order dated 03/11/2020.

JUDGE