

Comp.A.No.9 of 2021
in
C.P.No.3 of 2010

M.SUNDAR, J

Captioned Company Application has been filed with a multi-limbed prayer, which as culled out from the Judge's Summons reads as follows:

- 'a) To permit the Official Liquidator to engage the services of M/s.Murray & Co., approved Government auctioneer to value and conduct the auction sale of movable assets situated at No.45, South Usman Road, T.Nagar, Chennai-600 017.*
- b) To permit the Official Liquidator to confirm the sale on the spot and deliver the movable assets on receipt of full sale consideration from the auction purchaser.*
- c) To permit the Official Liquidator to defray the expenses related to the sale of the movable assets from the sale proceed.*
- d) To direct that the cost of this application do come out of the funds of the company in Provisional Liquidation.*
- e) To pass any (or) other order/s as it deem fit and proper in the circumstances of the case.'*

2. Read this in conjunction with and in continuation of earlier proceedings made in previous listing on 22.01.2021, which reads as follows:

'Notice to sole respondent returnable in four weeks i.e., 19.02.2021. Private notice permitted. Private notice through electronic modes of communication also permitted.

2. *Official Liquidator is permitted to serve on the learned standing counsel/panel counsel for respondent.*
3. *List on 19.02.2021.'*

3. Today, Mr.T.Sundar Rajan, learned counsel, who has entered appearance on behalf of lone respondent-Bank submits that the respondent has no objection or opposition to OL bringing to sale the movable properties set out in paragraph 8 of the report dated 21.12.2020, which has been filed in support of captioned application. Paragraph 8 of the report of OL reads as follows:

'8. That the Official Liquidator had taken possession of the following movable assets from registered office of the company in liquidation situated at No.45, South Usman Road, T.Nagar, Chennai-600 017.

1. *LG Make window Air Conditioner* - 1 No.
2. *Khaitan Make wall Mounting Fan* - 2 Nos.
(Damaged condition)
3. *Steel Cupboard* - 1 No.
4. *Cushion Steel chair with arm* - 3 Nos.
5. *Executive Chair (cushion)* - 1 No.
6. *Stabilizer* - 1 No.
7. *Steel Drawer with wooden on top* - 1 No.
8. *Tubelight fittings* - 2 Nos.

- | | | |
|------------------------------------|---|--------|
| 9. Steel chair without arm | - | 2 Nos. |
| 10. Steel rack (small) | - | 1 No. |
| 11. File rack with four drawers | - | 1 No. |
| 12. Telephone Instrument (Beetel) | - | 1 No. |
| 13. Wooden Partition | - | 1 set |
| 14. Wooden seater with cushion top | - | 1 No. |
| 15. Wooden rack (small) | - | 1 No.' |

4. This Court, having perused the said report, having heard OL and having noticed the stated position of the lone respondent [lone respondent has no objection for sale] considers it appropriate to accede to the prayer in the captioned application in terms of prayer limbs (a) to (d).

5. Application ordered on above terms. There shall be no order as to costs.

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