

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

INTERIM APPLICATION NO.32047 OF 2022
IN
INTERIM APPLICATION NO.237 OF 2022

M/s. Nazo Developers Pvt. Ltd.	...Applicant
<i>In the matter between</i>	
Union of India	Ori. Applicant
vs.	
The Official Liquidator of Swadeshi Mills Co. Limited (In Liqn.)	...Respondent

VISHAL
SUBHASH
PAREKAR

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VISHAL SUBHASH
PAREKAR

Date: 2022.12.07
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WITH
OFFICIAL LIQUIDATOR 'S REPORT NO.56 OF 2022
IN
COMPANY PETITION NO.385 OF 2002
WITH
INTERIM APPLICATION NO.3663 OF 2022
WITH
INTERIM APPLICATION (L) NO.29439 OF 2021

Mr. Jayesh Joshi, for the Applicant.
Mr. Dheea Sampat i/b. Mr. T.J. Pandian, for Respondent No.1-UOI.
Mr. Cyrus Ardeshir i/b. Piyush Deshpande, for the Applicant IAL
No. 29439 of 2021 for Respondent No. 2.
Dr. Viraj Tulzapurkar, Senior Advocate a/w. Mr. S.A.K. Najam-Es-
Sani, Ms. Pooja Shah, Mr. Saichiranjeevi i/b. Maneksha & Sethna,
for Respondent No. 3.
Mr. Amir Arsiwala a/w. Ms. Farzeen Pardiwalla, for the Respondent
No. 4.
Mr. Aditya Pimple, for the Official Liquidator.

CORAM : N. J. JAMADAR, J.
DATE : DECEMBER 06, 2022

P.C.:

IA.No. 32047 of 2022 :-

1. Heard the learned counsel for the applicant
2. This application is taken out seeking impleadment in Interim

Application No. 237 of 2022 which came to be disposed of by this Court by an order dated 5th January, 2022.

3. By the said order this Court granted permission to Union of India through Dy. Chief Engineer (Construction), Central Railway, Dadar under section 446 of the Companies Act, 1956 to initiate the process of acquisition of the properties which are sated to be the properties of the company in liquidation.

4. Since this Court has only granted the permission to initiate the process for acquisition, no issue as to title of the properties proposed to be acquired can be said to have been determined.

5. The applicant is at liberty to get itself impleaded in the resultant proceedings which the applicant in Interim Application No. 237 of 2022 may initiate.

6. Keeping open all the rights and contentions of the applicant to avail the remedies which are available in law, the Interim Application (L) No. 32047 of 2022 stands disposed.

IA.No.3663 of 2022:-

7. Heard the learned counsel for the parties.

8. The learned counsel for respondent supports the prayer in the application.

9. Mr. Ardeshir, learned counsel for respondent No. 2 submits

that respondent-Union of India does not propose to oppose the application. However, the learned counsel seeks time to file affidavit in the application as well as in Official Liquidator's Report No. 56 of 2022.

10. List on 14th December, 2022.

(N. J. JAMADAR, J.)