

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
OFFICIAL LIQUIDATOR'S REPORT NO.130/2023/LIQN.II
IN
COMPANY PETITION NO.81 OF 2012

In the matter of Companies Act I of
1956
and
In the matter of M/s. Food &
Hospitality Concepts India Pvt. Ltd.
(in Liquidation)

Nilesh Prakash Karkhanis ... Petitioner

Mr. Rishabh Sheth for Official Liquidator.

Mr. Anil Bhagure, Assistant to Official Liquidator.

CORAM : MANISH PITALE, J.
DATE : AUGUST 31, 2023

P.C. :

. This official liquidator's report bearing No.130/2023/Liqn.II is taken on the production board due to extreme urgency in the matter.

2. Mr. Sheth, learned counsel appearing for the official liquidator invited attention of this Court to the order dated 20.07.2023 passed by this Court, whereby it was directed that steps shall be taken for sale of property at Survey No.116, Village Sarvane, Taluka Bicholim, Goa by publishing appropriate notice in daily newspaper having circulation in Goa and Mumbai.

3. It is further stated that in pursuance of the aforesaid order passed by this Court, the official liquidator had fixed a schedule providing for inspection to the intending purchaser on 21.08.2023, submission of e-tenders on 01.09.2023 and the date of e-auction was fixed as

05.09.2023.

4. It is specifically submitted that when the representative of the official liquidator along with two intending purchasers went to the site for inspection, it was found that there was a bridge being constructed by the Public Works Department and that the land in question was the subject matter of acquisition.

5. In this backdrop, the official liquidator has approached this Court urgently seeking the following prayers:-

“a) In view of para 5 & 6 above, this Hon’ble Court may be pleased to stay the sale of immovable assets of the Company (In Liqn.) situated at Plot i.e. Survey No.116 Village Sarvane, Taluka Bicholim, Goa.

b) In view of para 7 above, this Hon’ble Court may allow the Official Liquidator to issue notices to Public Works Department, Panjim for receiving information regarding the land acquisition and other issues thereof.”

6. This Court is convinced that in the face of the aforesaid facts discovered upon inspection of the site that the subject property is already acquired, the further steps of submission of e-tender would unnecessarily complicate the matter. Therefore, both the above-quoted prayers deserve to be granted.

7. Accordingly, the official liquidator report is disposed of granting directions to the official liquidator as prayed in prayer clauses (a) and (b) above.

8. Parties to act on the ordinary copy of this order.

(MANISH PITALE, J.)

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