

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
OFFICIAL LIQUIDATOR'S REPORT NO.95 OF 2022
IN
COMPANY PETITION NO.183 OF 2013**

**In the matter of Companies
Act, I of 1956
and
Suvikas Alloys and Steel Pvt.
Ltd. (in liqn.)**

Kanayalal C. Makhija ... Petitioner

Mr. Shatrughan Chauhan, Dy. Official Liquidator, present.
None for Respondent.

CORAM: N.J.JAMADAR, J.

DATE : 8 FEBRUARY 2023

P.C.

1. Heard the learned Counsel for the parties.
2. Perused the Report. The Official Liquidator seeks the following directions :

“(a) In view of para (15) of this Report, whether this Hon’ble Court would be pleased to permit the Official Liquidator to hold the payment of security agency i.e. Blue Orbit Force (India) Pvt. Ltd., in respect to the security bills submitted by them with this office for the period being February 2020 till May 2022 till the final outcome of the above said First Information Report (FIR) and its investigation and thereafter file a separate

Official Liquidator Report with regard to the same.

(b) In view of para (6) of this Report, whether this Hon'ble Court would be pleased to permit the Official Liquidator to de-panel the security agency i.e. Blue Orbit Force (India) Pvt. Ltd., from the security agency panel list of this office and thereafter permit this office to appoint new security agency from the panel of this office on roster basis and also make payment to the new security agency out of sale proceeds lying to the credit of the company (in liqn.) after deducting TDS as per rules.”

3. Having regard to the aforesaid prayers, a notice was ordered to be issued to the security agency – Blue Orbit Force (India) Pvt. Ltd.. An Affidavit of Service is filed. It seems that the notice could not be served on both the addresses of the abovenamed security agency.

4. In the report, it is averred that the security agency had not deputed six personnel and, during the course of inspection, only one security guard was found at site. On account of lapses on the part of the security agency, there has been theft of the assets of the company in liquidation. A FIR is lodged. There is an allegation that the security personnel, who was posted at site, was involved in the theft.

5. In view of the aforesaid averments in report and the fact that the abovenamed security agency has refused to accept service of notice, the report is made absolute in terms of prayer clauses (a) and (b) extracted above.

(N.J.JAMADAR, J.)