

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

OFFICIAL LIQUIDATOR'S REPORT NO.135 OF 2022
IN
COMPANY PETITION NO.114 OF 2012

In the matter of Etisalat DB Telecom
Pvt.Ltd. (In Liquidation)

Etisalat Mauritius Limited

...Petitioner

Mr. Zal Andhyarujina, Senior Advocate a/w. Ms. Srisbari Rajan, Ms. Jahaan Dastur i/b. Economic Laws Practice, for the Petitioner.
Mr. Shanay Shah a/w. Ms. Meetali Mendhe, Legal Advisor to Official Liquidator.
Mr. Yash Momaya a/w. Mr. Munaf Virjee, Mr. Rushabh Parekh i/b. ABH Law LLP, for Respondent No. 2.

CORAM : N. J. JAMADAR, J.
DATE : FEBRUARY 03, 2023

P.C.:

1. Heard the learned counsel for the parties.
2. This report is filed seeking directions to condone the delay in compliance of the order dated 12th April, 2018 passed by this Court and allow the Official Liquidator to file the appeal in accordance with the Memo of Appeal (Exhibit E) annexed to the report.
3. By the said order dated 12th April, 2018 this Court had permitted the Official Liquidator to prefer an appeal against the order passed by Mr. D.K. Gupta, Enforcement Directorate before the Appellate Tribunal. It was, however, provided that before the Memo of Appeal is settled and approved by the Official Liquidator, he shall

circulate the draft of the same to the advocates for the parties and incorporate their suggestions, if any.

4. It seems that a considerable period was lost in settling the draft of the Memo of Appeal as the parties differed on the grounds on which the aforesaid order was to be assailed.

5. When the report was listed before the Court, the petitioner objected to certain grounds in the Memo of Appeal. Eventually, the parties agreed upon the draft of the Memo of Appeal to be filed assailing the impugned order.

6. The learned counsel seeks leave to tender the draft Memo of Appeal.

7. It is taken on record and marked (Exhibit X).

8. Report stands allowed in terms of prayer clause (a), and (b), with the modification that the appeal shall be filed in terms of Memo of Appeal (Exhibit X) tendered before the Court.

9. Report stands disposed.

(N. J. JAMADAR, J.)