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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
OFFICIAL LIQUIDATOR'S REPORT NO.155 OF 2022
in
COMPANY PETITION NO.95 OF 1999

In the matter of Companies Act, I of 1956;
And

In the matter of
Patheja Brothers Forging and Stamping Ltd.
(In Liquidation)

Devi Constructions Company Pvt.Ltd. .. Petitioner

Mr.Ranjan Carvalho, for the Official Liquidator.

Mr.Chandan Kumar, Official Liquidator present.

CORAM : BHARATI DANGRE, J

DATE : 20th July, 2023.

P.C.

1] In the wake of winding up order passed by this court on 16.06.2007 , the Official Liquidator exercise his powers under the Companies Act, 1956 and took possession of the factory premises of the Company in liquidation.

A notice was thereafter issued to the Ex-Directors and secured creditors as regards taking possession of the Assets of the company in MIDC Satara.

2] The Official Liquidator also invited the claims of

workmen/creditors of the Company, so also Panel Chartered Accountant was appointed to scrutinize the claims against the Company for the purpose of adjudication. However, the Official Liquidator was informed by the Panel Chartered Accountant that certain errors have occurred in the calculation while doing internal checking and errors were required to be rectified. Further error was also found in the sections in two claims.

Apart from this, in respect of claim No.425, date of winding up was also incorrectly mentioned.

These errors being inadvertently committed are, therefore, sought to be rectified.

In the fitness of the accurate data on record, I deem it appropriate to permit the rectification to be carried out by the Chartered Accountant R.I. Jain & Co.

3] Upon being rectification carried out, the OLR seek permission to re-adjudicate the Claim Nos.275, 276, 590, 319, 756 and 425 and file revised certified list in respect of the said claims and also seek permission to file second supplementary list in respect of Claim No.425 to the Prothonotary and Senior Master, High Court, Bombay.

On account of the errors that have occurred, on certification that the errors have been rectified, the claims would be adjudicated and the Official Liquidator is directed to proceed thereafter.

OLR stands disposed off in the aforesaid terms.

[BHARATI DANGRE, J]