



Comp. A. No.648 of 2018 in C.P. No.126 of 2016

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**KRISHNAN RAMASAMY, J.**

This application is filed by the learned Official Liquidator to prosecute the Ex-directors of the Company in provisional liquidation under Section 454(5A) of the Companies Act, 1956 for non filing of the Statement of Affairs with the Official Liquidator.

2.Pursuant to the order dated 21.04.2023 passed by this Court in the above Application, directing the Official Liquidator to scrutinise the Statement of Affairs filed by one of the Ex-Directors, a Report dated 29.05.2023 has been filed by the Official Liquidator stating that there are defects in the Statement of Affairs.

3.The above Report dated 29.05.2023 filed by the Official Liquidator is taken on record.

4.The learned Official Liquidator would submit that the details are yet to be furnished to rectify the defects in the statement of affairs and the IT Report.

5.Learned counsel for respondents 2, 3 and 5 submits that respondents 2, 3 and 5 would provide relevant particulars as sought by

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the Official Liquidator and other relevant details along with IT report with the Official Liquidator within a period of one week. Therefore, learned counsel for respondents 2, 3 and 5 requested this Court to close the present Application.

6.Considering the submission made by the learned Official Liquidator along with the report filed by him and also considering the fact that the learned counsel for respondents 2, 3 and 5 undertakes to furnish the correct information and other relevant details along with IT report with the Official Liquidator, this Court is of the view that no further order is required in this application. Accordingly, this application is closed.

7.It is made clear that if the particulars as sought for by the learned Official Liquidator have not been furnished by the Ex-Directors of the Company in provisional liquidation, the Official Liquidator is granted liberty to re-open the Application.

02.06.2023

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