

rajshree

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO.929 OF 2024

Milind B Kasodekar	]	..	Appellant
vs.			
State of Maharashtra	]	..	Respondent

Mr.A.A. Devkhile for the Appellant.
Ms.M.M. Deshmukh, APP for the State.

CORAM : NITIN W. SAMBRE,
MANJUSHA DESHPANDE, JJ

DATE : 24th SEPTEMBER, 2024.

P.C.

1 In an crime registered under the provisions of MPID Act, in vide CR No. 263/2016, the properties of the Company were attached.

2 The Appellant who claims to be appointed as the Liquidator of the Accused-Company vide of the order dated 07.05.2018, claims that he has every right to protect the interest of secured creditors viz. the Bank and workmen and in such an eventuality, Applications at Exh.64 and 68 came to be moved by the Appellant. These Applications i.e. Exh.64 and 68 are rejected by the impugned order dated 15.06.2024.

3 The contentions of the learned counsel for the Appellant are that , the Appellant being the official liquidator appointed by the orders of the NCLT, will be in a better position to deal with the properties in question and in such an eventuality, the order impugned is not sustainable.

4 When confronted, the learned counsel would urge that he shall try to substantiate his contentions based on the legal provisions. He has also not disputed the factual issue that the identical question of law is being considered by the Apex Court.

5 He seeks time till next week to assist in both the aforesaid issues.

By way of last chance, list on 01.10.2024.

(MANJUSHA DESHPANDE, J)

(NITIN W. SAMBRE, J)