

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

**OFFICIAL LIQUIDATOR REPORT NO. 21 OF 2024
IN
COMPANY PETITION NO. 907 OF 2005**

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

AND

In the matter of Emtex
Industries (India) Pvt. Ltd.
(in liquidation)

Resendra Chemexport Pvt. Ltd. ... Petitioner

Mr. Harsh Moorjani, for the Official Liquidator.

Mr. Chandan Kumar, Official Liquidator.

Mr. Udaya Sankar Samudrala a/w Suij Upadhyay and Shivesh
Upadhyay for Respondent Nos.1 to 4 in Company Petition.

Mr. Saurabh Kutafale (Jain) i/by Sunil Kadam for the Secured
Creditors.

**CORAM: MANISH PITALE, J.
DATE : 23rd FEBRUARY, 2024**

P.C. :

. Heard learned counsel for the official liquidator.

2. By this Official Liquidator Report (OLR), the official liquidator is seeking appropriate directions to invite claims from the creditors and workers, as per the relevant rules and also necessary directions including appointment of a Chartered Accountant.

3. In the interest of justice, the OLR is allowed in terms of prayer clauses (a), (b) and (c), which read as follows :

“a) In view of para (7) and (8) of this report, whether this Hon'ble Court may be pleased to permit the Official Liquidator to invite the claims from the creditors/workers as required under rule 148 of the Companies (Court) Rules, 1956 by publication of Notice for inviting claims in newspaper i.e. in "Free Press Journal" (English) published from Mumbai and "Navshakt" (Marathi) published from Mumbai, through the panel of the office an advertising agency and the Hon'ble High Court, Bombay may be pleased to permit the Official Liquidator to pay the advertisement charges to the advertisement agency out of the funds lying to the credit of the Company, subject to deduction of applicable taxes;

b) In view of para (7) and (8) of this report, whether this Hon'ble Court would be pleased to dispense with the issuance of individual notices to all the workers/creditors in terms of Rule 148 (2) of the Companies (Court) Rules 1959;

c) In view of para (9) of this report, whether this Hon'ble Court may be pleased to permit to appoint a Chartered Accountant from the panel of the Official Liquidator for scrutinizing / adjudicating and preparation of the list of claim to be admitted / rejected in respect of the Company with professional fees and this Hon'ble Court may be pleased to permit the Official Liquidator to pay the professional charges to the Chartered Accountant and further also allow the Official Liquidator to pay the said Chartered Accountant as when the invoice is raised by them out of the funds lying to the credit of the Company subject to deduction of the applicable taxes;

MANISH PITALE, J.