

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

**INTERIM APPLICATION (L) NO.1174 OF 2023
IN
COMPANY PETITION NO.735 OF 1997**

C. D. SAFETY AND SECURITY SERVICES LLP)...APPLICANT

V/s.

**THE OFFICIAL LIQUIDATOR OF M/S. REACTO)
PAPER LIMITED)...RESPONDENT**

**WITH
OFFICIAL LIQUIDATOR'S REPORT NO.37 OF 2024**

Mrs.M.P.Thakur a/w. Mr.Akshay Pansare, Advocate for the Applicant.

Mr.Mutahhar Khan, Advocate for the Official Liquidator.

Mr.Chandan Kumar, Official Liquidator, present in Court.

CORAM : ABHAY AHUJA, J.

DATE : 8th MARCH 2024

P.C. :

1. Pursuant to order dated 23rd February 2024, today when the matter is called out, Mr.Khan, learned Counsel, appears for the Official Liquidator and submits that the Official Liquidator has already considered the case of the Applicant and has put up Official Liquidator's Report No.37 of 2024 seeking directions to make payment of the Applicant's bills based on Central Minimum Wages, submitted from May 2022 onwards subject to verification and examination of the bills

in accordance with the approved terms and conditions of the office of the Official Liquidator for security agencies, subject to availability of funds to the credit of the company in liquidation.

2. Mr.Khan, learned Counsel for the Official Liquidator, would submit that since the Bench taking up the Official Liquidator Reports is not available today and this Bench is the alternate Bench, this Court may consider the Official Liquidator's Report and pass appropriate orders.

3. Ms.Thakur, learned Counsel, appears for the Applicant and submits that she has just been served with a copy of the said Official Liquidator's Report and would need some time to take instructions with respect to the other prayers, however, submitting that this Court, in view of the submissions made in the Official Liquidator's Report, may grant Prayer clause (a) and also dispose of the Application.

4. I have heard the learned Counsel and also perused the Official Liquidator's report and note that the Official Liquidator has in paragraph 9, after considering the case of the Reacto Papers India Limited, which is in provisional liquidation, prayed to this Court to

make payment to the Applicant in the Application with respect to the bills from May 2022 onwards subject to verification and examination thereof in accordance with the approved terms and conditions and subject to availability of funds to the credit of the company in liquidation. It is also prayed that this Court permit the Official Liquidator to remove the Applicant in the Application as the security agency as they are no longer on the panel of the Official Liquidator.

5. In the view of the above and considering the order of 23rd February 2024, the Official Liquidator was to come back with the time period within which the outstanding dues of the Applicant would be paid, this Court is of the view that for the time being Prayer clause (a) of the Official Liquidator's Report be allowed. The said Prayer (a) reads thus :

“In view of Para (9) of this report, whether this Hon’ble Court would be pleased to permit the Official Liquidator to make payment to M/s.C.D.Safety and Security Services LLP of bills based on Central Minimum Wages, submitted from May, 2022 onwards subject to verification and examination of the bills, in accordance with the approved terms and conditions of the office of the Official Liquidator for security agencies, subject to availability of funds to the credit of the company (In Liqn.).”

6. Let the Official Liquidator comply with the aforesaid order within a period of four weeks.

7. The Interim Application, accordingly, stands disposed.
8. As far as the Official Liquidator's Report is concerned, let the Applicant file a reply with respect to Prayer clause (b) of the Official Liquidator's Report.
9. List the Official Liquidator's Report on **12th April 2024** before the appropriate Bench.

(ABHAY AHUJA, J.)