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

OFFICIAL LIQUIDATOR'S REPORT NO. 84 OF 2024
IN
COMPANY PETITION NO. 1180 OF 2002

In the matter of Madras Petrochem Ltd (In Liquidation).

Bharat Heavy Electricals Ltd. ...Petitioner.

Ms. Akanksha Agarwal for the Official Liquidator.
Karl Tamboly (On V.C.), Janhavi Nirlekar and Sneha i/b PRS Legal for Alchemist Assets Reconstruction Company Ltd.
Shashank S. Mishra for Noticee No.10 (Workers Union).

Coram : Sharmila U. Deshmukh, J.
Date : August 8, 2025.

P. C. :

1. The present OLR seeks following directions:

> "a) In view of para (24) & (25) of this report, whether this Hon'ble Court would be pleased to permit the Official Liquidator to declare and pay dividend @ 27.92 paise in a rupee of Rs.3,88,16,138/- to the 184 workers (under Section 529A) from the amount lying to the credit of the Company (in Liqn);
>
> b) In view of the para (26) of this report, whether this Hon'ble Court would be pleased to permit the Official Liquidator to publish a notice of declaration of dividend in "Free Press Journal" (English) and "Dinamalar" (Tamil) publish/circulate in Chennai;
>
> c) In view of the para (27) of this report, whether this Hon'ble Court would be pleased to permit the Official Liquidator to pay the advertisement charges to the advertisement agency on raising of the invoices from the fund lying to the credit of the Company (in Liqn) subject to deduction of applicable taxes;

> d) In view of para (28) of this report, whether this Hon'ble court may be pleased to permit the Official Liquidator to open a "Separate Dividend Account" with Punjab National Bank, PNB House, Fort, Mumbai with a sum of Rs. 3,88,16,138/- payable to 184 workers. The dividend shall be payable within a period of six months from the date of passing order on this report under Rule 290 of the Companies (Court) Rules, 1959, and thereafter to transfer the unpaid / unclaimed dividend if any, to the "Companies Liquidation Account" maintained with the Registrar of Companies, Maharashtra, Mumbai as required under section 555 of the Companies Act, 1956;"

2. Ms. Agarwal, learned Counsel appearing for the Official Liquidator submits that the Official Liquidator was permitted to sell the movable and immovables of Company being Office No.16, Nariman Bhavan Premises Co-operative Society Ltd, 227, Backbay Reclamation, Nariman Point, Mumbai and sale was confirmed and possession handed over in 2019. She submits that the Official Liquidator has received the sale proceeds of Rs.3,88,16,138/- which is required to be disbursed to the workers and seeks sanction to the declaration and payment of dividend @ 27.92 paise in a rupee to 184 workers under Section 529A of the Companies Act, 1956 and for carrying out necessary modalities for declaration and payment of dividend.

3. Mr. Tamboly, learned Counsel appearing for one of the secured creditors, upon a query by this Court, concedes that the premises, namely, Office No.16, Nariman Bhavan Premises Co-operative Society Ltd, 227, Backbay Reclamation, NarimanPoint, Mumbai sold by the Official Liquidator was not the security of said secured creditor. In the light of the same, there can be no opposition to the declaration and payment of dividend to 184 workers under Section 529A of the Companies Act, 1956, out of the sale proceeds received by the Official Liquidator from the sale of the said premises.

4. In the light of above, OLR is allowed in terms of prayer clauses (a) to (d).

[Sharmila U. Deshmukh, J.]