

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
INTERIM APPLICATION NO. 1395 OF 2025
IN
COMPANY PETITION NO. 166 OF 2002

M/s. Modistone Kamgar Sangharsh Samiti ... Applicant

In the matter between :

BIFR ... Petitioner

Versus

The Official Liquidator
At the Liquidator of M/s. Modistone Limited ... Respondent

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Mr. Rajeev Lahiri alongwith Ms. Sana Khan instructed by Arihant Associates, Advocate for the Applicant.
Mr. Anoushak Daver instructed by Khaitan & Khaitan, Advocate for the Mr. V.K. Modi, Secured Creditor of Modistone Limited (In Liqn.).
Mr. Aruj Dhingra, Advocate for Modi Rubber Limited, Creditor of Modistone Limited (In Liqn.)

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CORAM : ABHAY AHUJA, J.

DATE : 25 APRIL 2025

PC. :

1. Pursuant to the order dated 2nd April 2025, today when the matter was called out in the morning session, Mr. Lahiri, learned Counsel, appearing for the Applicant seeking recall of the order dated 14th February 2024 has submitted that Interim Application No.887 of 2020 could not have been disposed in view of the compliance with order dated 12th January 2024 disposing of the Official Liquidator's

Report No.74 of 2023 as was submitted by Mr. Khan, learned Counsel for the Official Liquidator appearing on that day. Since Mr. Khan or any other Counsel for the Official Liquidator was not available in the morning session, the matter was kept back.

2. When the matter is called out in the afternoon session, once again this Court is informed that although Mr. Khan was there earlier, but he has left the Court Room.

3. Mr. Daver, learned Counsel, appearing for one of the secured creditors who also opposes this Application, submits that the pleadings are complete in the matter and this matter would need to be heard and be adjourned beyond vacation.

4. Mr. Lahiri, has no objection if the matter is listed beyond vacation.

5. At their joint request, list on **20th June 2025**.

6. Let copy of the order be intimated to the Official Liquidator to remain present in Court through a duly appointed Advocate on the next date.

(ABHAY AHUJA, J.)