

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

INTERIM APPLICATION NO. 2443 OF 2025

IN

EXECUTION APPLICATION NO. 443 OF 2023

Vipula Monga

... Applicant

Versus

Hamco Steels and Alloys Ltd.

... Respondent

WITH

CHAMBER SUMMONS NO. 216 OF 2017

IN

EXECUTION APPLICATION NO. 443 OF 2023

WITH

OFFICIAL LIQUIDATOR'S REPORT NO. 65 OF 2023

IN

COMPANY PETITION NO. 114 OF 1992

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Ms. Rajvi Mehta alongwith Ms. Sannidhi Agrawal instructed by Vashi and Vashi, Advocate for the Applicant.

Ms. Apurva Thipsay, Advocate for the Official Liquidator.

Mr. Mangesh Jadhav, Deputy Official Liquidator, present.

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CORAM : ABHAY AHUJA, J.

DATE : 16 JUNE 2025

P.C. :

Interim Application No. 2443 of 2025 :

1. This Interim Application seeks amendment of the Execution proceedings as well as Company Petition.

2. Ms. Mehta, learned Counsel, appears for the Applicant and submits that the Decree-holder has passed away and by this Application, heirs of the Applicant are sought to be brought on record in the Execution Application as well as in the Company Petition. Ms. Mehta appearing in the Interim Application submits that she is also appearing for the heirs to be brought on record. Ms. Mehta also furnishes a Power of Attorney viz. from the proposed Applicant No.2 to Applicant No.1.

3. Ms. Thipsay, learned Counsel, appearing for the Official Liquidator has no objection.

4. Ms. Thipsay also submits that the Official Liquidator's Report be de-tagged, in as much as the same can then be pursued before the Company Court.

5. Having heard the learned Counsel and having considered their submissions, the following order is passed :

(i) This Interim Application is allowed in terms of prayer clause (a).

(ii) Let amendments be carried out within a period of two weeks.

(iii) Let amended copy of the proceedings be served on the others within a period of two weeks thereafter.

- (iv) The Official Liquidator's Report be de-tagged and placed before the appropriate Bench of this Court.
- (v) The Interim application stands disposed as above.

(ABHAY AHUJA, J.)