

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

OFFICIAL LIQUIDATOR REPORT NO. 55 OF 2025

IN

COMPANY PETITION NO. 434 OF 2016

In the matter of Companies Act, 1
of 1956;

And

In the matter of M/s. Auram Machines
(India) Pvt. Ltd. (in liquidation)

M/s Liang Lih Machine Co Ltd.

...Petitioner

Mr. Akshay Petkar a/w Mr. Aniket Malu, for Mr. Rajendra Prasad Patel.

Ms. Akanksha Agrawal, for Official Liquidator.

Mr. Satyajit Roul, for Official Liquidator.

Mr. Chetan Shelke, for Dy. Official Liquidator, present.

CORAM : ARIF S. DOCTOR, J.

DATE : 14th NOVEMBER 2025

P.C.

1. The Official Liquidator's Report seeks the following directions:

"a) In view of para (7) of this report, whether this Hon'ble High Court would be pleased to take on record 1st Supplementary list filed with the Prothonotary and Senior Master High Court, Bombay on 17/04/2025 by the Official Liquidator as per "Exhibit C".

*b) In view of the para (9) of this report, whether this Hon'ble Court may be pleased to permit the Official Liquidator to declare and pay dividend @80% to the three creditors mentioned in the 1st Supplementary List, amounting to *43,66,592/- (Forty Three Lakhs Sixty Six Thousand Five Hundred and Ninety Two only) and further permit the Official Liquidator*

to declare and pay dividend @12% to the all twelve Ordinary Creditors mentioned in the Certified, 1st SOpplementary list for an amount of Rs.25,31,603/- (Twenty Five Lakhs Thirty One Thousand Six Hundred and Three Only).

c) If prayers (b) in affirmative, in view of para (11) of this report, whether the Hon'ble Court may be pleased to permit the Official Liquidator to release an advertisement to publish 'NOTICE OF DECLARATION OF DIVIDEND' in terms of Rule 276 of the Companies (Court) Rules, 1959 in "Free Press Journal" (In English) having circulation in Mumbai and Navshakti (In Marathi) published from Mumbai through the panel advertising agency and to make the payment of publication expenses from funds available to the credit of the company (In Liqn.). In addition to above the Official Liquidator will be sending the individual notice of payment to all Creditors by "SPEED POST" at their last known address.

d) If prayer clause (a) & (b) is affirmative, and in view of para (12) of the 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 total sum of ₹68,98,195/- (Rupees Sixty Eight Lakhs Ninety Eight Thousand One Hundred and Ninety Five Only) (under Rule 290 of companies (Court), which worked comprise of ₹43.66.592/- towards payment of first dividend @80% to the three Ordinary creditors listed in the 1st Supplementary List and ₹25.31,603/- towards payment of further dividend @12% to the twelve Ordinary creditors mentioned in the Certified and 1st Supplementary Lists.

e) In view of para (13) of the report, whether this Hon'ble Court may be pleased to permit the Official Liquidator to pay the dividend within a period of six (6) months from the date of the order passed by this Hon'ble Court for the declaration of dividend and thereafter, if any unpaid or unclaimed dividend amount, the same may be permitted to be transferred to the "Companies Liquidation Account" maintained with the Registrar of Companies, Maharashtra, Mumbai, as required under Section 555 of the Companies Act, 1956."

2. On the previous occasion, the report was opposed by one Mr. Rajendra Prasad Bhagwandas Patel who claimed to be an employee/workman of the company in liquidation on the ground that his claim had not been adjudicated

by the Official Liquidator. It was thus that Ms. Agrawal, learned counsel appearing on behalf of the Official Liquidator submitted that she would take the necessary instructions and revert to this Court on the next date and if necessary file an affidavit.

3. Ms. Agrawal has today filed an affidavit pointing out that Mr. Rajendra Prasad Bhagwandas Patel had by an order dated 16th August 2024 been directed to furnish to the Official Liquidator all the necessary documentary evidence in support of his claim. She submits that despite a passage of one year this has not been done.

4. Mr. Petkar, learned counsel appearing on behalf of the Mr. Rajendra Prasad Bhagwandas Patel submits that he has no instructions from his client, in light of this, I see no reason why the present Liquidator's Report cannot be proceeded with.

5. Having heard Ms. Agrawal and having noted the content of the Official Liquidator's Report, I find that the same sufficiently sets out and justifies the further directions which have been sought for.

6. Hence, the Official Liquidator's Report is allowed in terms of prayer clauses (a) to (e), as extracted above.

7. The Official Liquidator's Report is disposed of in above terms.

(ARIF S. DOCTOR, J.)