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O.S.A.No.321 of 2025

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.09.2025

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

O.S.A.No. 321 of 2025

and

C.M.P.No.23716 of 2025

Fairdeal Supplies Limited,
(CIN U51909WB1987PLC097552)
A Public Limited Company,
Rep. by its Resolution Professional
Mr.Bijay Murmuria,
Having its Office at No.4, B.B.D.Bag (East),
5, Stephen House, 1st Floor,
Kolkatta – 700 001, West Bengal.

...Appellant

Vs.

The Official Liquidator,
High Court, Madras,
As the Liquidator of
M/s.SIV Industries Ltd., (In Liquidation),
Corporate Bhavan, 2nd Floor,
No.29, Rajaji Salai,
Chennai – 01.

...Respondent

PRAYER: This Original Side Appeal filed under Order 36 Rule 9 of the Original Side Rules read with Clause 15 of the Letters Patent praying to set aside the judgment and decree dated 19.09.2025 passed in C.A.No.581 of 2023 in C.P.No.17 of 2004.



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For Appellant : Mr.P.V.Balasubramanian,
Senior Counsel
For Mr.S.Eshwar
For Respondent : Ms.Ambili.B,
Deputy Official Liquidator

J U D G M E N T

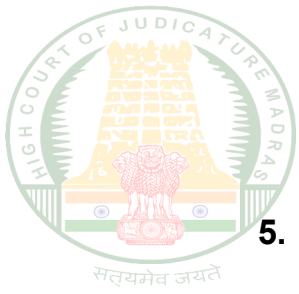
(Order of the Court was made by S.M.SUBRAMANIAM, J.)

The order dated 19.09.2025 passed in the pending Company Application Nos.490 of 2015 and 581 of 2023 in C.P.No.17 of 2004 is the subject matter of the present Original Side Appeal.

2. A perusal of the order shows that the applications are pending and the Company Application Nos.490 of 2015 and 581 of 2023 are directed to be listed on 26.09.2025 ie., tomorrow.

3. The learned Senior Counsel appearing for the appellant would mainly contend that the direction issued to the learned Deputy Official Liquidator to proceed with the e-auction in respect of the subject property would affect the interest of the appellant.

4. The learned Deputy Official Liquidator would submit that the e-auction process has not been concluded. It is left open to the appellant to participate in the e-auction.



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5. That being the situation, the challenge made against the order impugned is unnecessary. Moreover, the grounds raised by the learned counsel for the appellant may be raised before the learned Single Judge while the pending Company Applications are taken up for hearing. Contrarily entertaining the appeal at this stage against the pending applications become unnecessary.

6. Accordingly, this Original Side Appeal stands **dismissed**. It is always open to the appellant herein to challenge the validity of the e-auction in the manner known to law. No costs. Consequently, the connected miscellaneous petition is closed,

(S.M.S., J.) (M.S.Q., J.)
25.09.2025

dsa

Internet :Yes/No
Index :Yes/No
Neutral Citation :Yes/No
Speaking/Non-speaking order

To:

The Official Liquidator,
High Court, Madras,
As the Liquidator of
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Corporate Bhavan, 2nd Floor,
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S.M.SUBRAMANIAM, J.
and
MOHAMMED SHAFFIQ, J.

dsa

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