

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
OFFICIAL LIQUIDATOR REPORT NO. 79 OF 2026

In the matter of the Companies Act
I of 1956

And

In the matter of Himalaya Fibres Pvt
Ltd. (in liquidation).

Amit Nanda s/o Sh. Phader Dass Nanda ...Petitioner

Ms. Akanksha Agrawal, for the Official Liquidator (Through VC).

Mr. Satyajit Roul, Official Liquidator present.

Mr. J. P. Gautam, Dy. Official Liquidator present.

CORAM : ARIF S. DOCTOR, J.

DATE : 24th APRIL 2026

P.C.

1. At the outset, Ms Agarwal, tenders draft amendment to seek the following prayer:

"(el) In view of para (19) of the this report, whether this Hon'ble Court may be pleased to allow the Official Liquidator to transfer the balance amount of Rs.2,23,255/- to "Companies Liquidation Account", maintained by the Registrar of Companies as mandated under Section 555 of the Companies Act, 1956, as being the undistributed assets of the Company (In Liqn);"

Having perused the draft amendment, the same is taken on record and marked "X". Amendment to be carried out within a period of one week from today.

2. The captioned Official Liquidator's Report is for permanent dissolution of the company in liquidation. Ms. Agrawal, learned counsel for the Official Liquidator points out that the company in liquidation does not have any recoverable assets. She seeks dissolution of the company in question and consequential dispensation with the compliances which would otherwise be required during the course of final dissolution of company in liquidation.

3. For the convenience of the Court, the Official Liquidator has prepared a list setting out (i) the date on which the winding-up order was passed; (ii) the funds available; and (iii) the status of the claim of the company. The details are as follows:

Date of Winding Up In CP No.	Funds available (In Rs.)	Claims
13/04/2017 in CP No. 778 of 2014	Rs. 2,27,255/-	Claims invited via notice published on 22.01.2026. No claims received from workers/creditors. Two suo moto claims received: Corda India Company Pvt. Ltd. (Rs. 19,64,514/-) and M/xs. BLR Logistiks (I) Ltd. (Rs. 13,87,399/-). (Para 11-12)

4. By an Order dated 20th February 2026, this Court granted prayer (b) of the Report. Prayer (b) is reproduced as follows –

“b) In view of para (11) of this report, whether this Hon'ble Court may be pleased to order Audit of Half Yearly Accounts which are pending for audit and also Audit of Final Account by one of the Chartered Accountants from the panel maintained by the Official Liquidator and also permit the Official

Liquidator to pay his fees from the funds lying to the credit of the Company (In Lign). Further, upon the Chartered Accountant submitting his Audit Certificate along with his comments and discretion, to the Company Registrar, direct the Company Registrar of this Hon'ble Court to file the same before this Hon'ble Court, as required under Rule 303 of the Companies (Court) Rules, 1959;"

Learned Counsel for the Official Liquidator submits that the same has been complied with. The Chartered Accountant has prepared half yearly account statement for the period of 01.04.2024 to 30.09.2025 and prepared final account statement and submitted an invoice dated 12.03.2026 for a sum of Rs.4,000/-.

5. Learned counsel for the Official Liquidator has also placed reliance upon various decisions which support the directions which are today sought for, useful reference can be placed upon the decision of this Court in the case of ***Goan Riviera Resorts Private Limited through the Official Liquidator¹, Meghal Homes (P) Ltd. Vs. Shree Niwas Gimi K. K. Samiti², Delfin Expo Mart Vs. Royal Regency Fashions Pvt. Ltd.³, Re-Vikas Motors Pvt. Ltd.⁴, Indiana Spices and Foods Industries Ltd.⁵ and Lalaji Paper Mills Pvt. Ltd.⁶***

6. In each of the aforesaid decisions, the Court proceeded to allow dissolution of the company in liquidation since there was a lack of sufficient or substantial funds or assets, and no useful purpose would be served by keeping the process of winding-up or liquidation alive.

1 (2024) SCC Online Bom 751

2 (2007) 7 SCC 753

3 (2023) SCC Online Del 3866

4 (2023) SCC Online Del 4634

5 (2020) SCC Online Del 705

6 (2019) SCC Online Del 10739

7. Having heard learned counsel and having perused the judgments upon which reliance is placed, I am satisfied that a case has been made out for allowing the aforesaid Official Liquidator's Report.

8. Hence, the Official Liquidator's Report is allowed and disposed of in terms of prayer clauses (a), (c), (d), (e) and (el).

[ARIF S. DOCTOR, J.]