APHC010166202026

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3333]**
(Special Original Jurisdiction)

FRIDAY,THE TWENTY FOURTH DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SMT JUSTICE V.SUJATHA

COMPANY APPLICATION NO: 129/2026

Between:

1. THE OFFICIAL LIQUIDATOR, ATTACHED TO THE HON'BLE HIGH COURT OF TELANGANA AND ANDHRA PRADESH, 1ST FLOOR, CORPORATE BHAWAN, BANDLAGUDA, NAGOLE, HYDERABAD-500068

...APPELLANT

AND

1. RE, Re

...RESPONDENT

Let all the parties concerned attend the Judge's sitting in the Court/Chambers on day of March, 2026 on the hearing of an application filed by the applicant above named for the an order to i. Take the half-yearly accounts of the subject company (in liquidation) for the period from 01.10.2023 to 31.03.2024, along with Independent Auditors' Report dated 30.01.2026 submitted on 04.02.2026 by M/s. Murthy and Kanth, Chartered Accountants on record and permission may be accorded to make the payment of audit fee of Rs.500/- plus GST to the said auditor ii. Cost of this application (Court fee Stamps and Notary Charges etc.,) may be permitted to be met out by the Official Liquidator from the available funds of the company (in liquidation) or Estate and Establishment Fund account if no fund is available in the company's account subject to reimbursement of the same from the funds of Company (in liqn) upon realization of assets of the Company(in liqn) iii. It is further submitted that, half-yearly accounts of the company (in liqn) are being filed regularly as required under section 462 of the companies act, 1956, and per se exemption may be granted for filing of annual/final accounts for the financial year 2023-24 as required under section 551 of the Companies Act 1956, since the audited half-yearly accounts for the half yearly period from 01.04.2023 to 30.09.2023 and 01.10.2023 to 31.03.2024 are filed before the Hon'ble Court, and the annual accounts for the financial year ended on 31.03.2024 is nothing but combination /merger of the above two half yearly financial statements of the financial year 2023-24, and Pass

Counsel for the Appellant:

1. T V P SAI VIHARI(SC FOR OFFICIAL LIQUIDATOR)

Counsel for the Respondent:

1.

The Court made the following:

THE HONOURABLE SMT JUSTICE V.SUJATHA

COMPANY APPLICATION NO: 129 OF 2026

ORDER:-

This Company Application is filed under Section 462 of the Companies Act, 1956 read with Rule 306 read with Rule 298 of the Companies (Court) Rules, 1959 seeking the following relief:

> *"....*i. Take the half-yearly accounts of the subject company (in liquidation) for the period from 01.10.2023 to 31.03.2024, along with Independent Auditors' Report dated 30.01.2026 submitted on 04.02.2026 by M/s. Murthy and Kanth, Chartered Accountants on record and permission may be accorded to make the payment of audit fee of Rs.500/- plus GST to the said auditor
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> ii. Cost of this application (Court fee Stamps and Notary Charges etc.,) may be permitted to be met out by the Official Liquidator from the available funds of the company (in liquidation) or Estate and Establishment Fund account if no fund is available in the company's account subject to reimbursement of the same from the funds of Company (in liqn) upon realization of assets of the Company(in liqn)
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> iii. It is further submitted that, half-yearly accounts of the company (in liqn) are being filed regularly as required under section 462 of the companies act, 1956, and per se exemption may be granted for filing of annual/final accounts for the financial year 2023-24 as required under section 551 of the Companies Act 1956, since the

audited half-yearly accounts for the half yearly period from 01.04.2023 to 30.09.2023 and 01.10.2023 to 31.03.2024 are filed before the Hon'ble Court, and the annual accounts for the financial year ended on 31.03.2024 is nothing but combination /merger of the above two half yearly financial statements of the financial year 2023-24, and..."

2. Heard Mr. T.V.P.Sai Vihari, learned counsel for Official Liquidator/ Applicant.

3. Learned counsel for learned counsel for Official Liquidator/ Applicant would submit that in compliance of the provisions of Section 462 of the Companies Act, 1956, read with Rule 298 and Rule 306 of the Companies (Court) Rules, 1956, the Official Liquidator is enclosing the Half Yearly Accounts for the periods from 01.10.2023 to 31.03.2024, along with independent Auditor's Report dated 30.01.2026, which is submitted on 04.02.2026, duly audited by M/s Murthy & Kanth, Chartered Accountants, pursuant to the Order of this Court, dated 04.07.2024 in C.A.No. 43 of 2024.

4. On perusal of the Report, it can be observed that there is no adverse comment on the Statement of Accounts of the said company (in liquidation) and as such, the Half Yearly Account and Auditors Report of Subject Company (in liquidation) can be taken on record, exempting in filing

accounts for the financial year 2023-24 as required under Section 551 of the Companies Act, 1956.

5. For the above reasons, the Company Application is allowed as prayed for. There shall be no order as to costs.

JUSTICE V.SUJATHA

Date: 24.04.2026

Gss