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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CO.PET. 539/1998

M/S TATA IRON & STEEL CO. LTD.

..... Petitioner

Through:

versus

M/S JHALANI TOOLS INDIA LTD

..... Respondent

Through: Ms.Ruchi Sindhwani, Sr. SC and
Ms.Megha Bharara, Adv. for OL.

Mr.Aman Vachher, Mr. Ashutosh
Dubey, Mr.Abhishek Chauhan,
Mr.Amit P Shahi, Adv. for ex
management.

Ms.Neeru Vaid, Adv. for workers at
Faridabad.

Mr.Ramesh Kumar, Advocate - for
Secured Creditors.

Mr.A.K. Kohli and Mr.Ankush
Sharma, Adv. in CA 174/2018.

Mr.Mohit Gupta, Mr.Aditya Chauhan,
Adv. in CA 396/2022.

Mr.Sangram Patnaik, Mr.Aditya
Parmar, Ms.Swayam Sidha,
Mr.Aravind S Kumar, Adv. for IDBI
Bank.

Dr.Monika Gosain & Ms.Arani
Chaudhary, Adv. for Municipal
Corporation Faridabad.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

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16.11.2022

CO.APPL.174/2018

1. The learned counsel for the applicant submits that the arguing counsel



is indisposed.

2. At his request, re-list on 10th January, 2023.

CO.APPL.396/2022

3. The learned counsel for the applicant submits that in terms of the letter dated 06.07.2022, the Official Liquidator admits that all municipal charges up to the date of the confirmation of the sale are to be borne by the Official Liquidator from the funds of the Company (in Liqn.). On the other hand, the learned counsel for the Official Liquidator draws my reference on Clause 4.1 of the Sale Notice to submit that these charges to be borne by the successful bidder.

4. The learned counsels, however, pray for further time to make submissions on this issue.

5. The learned counsel for the Official Liquidator also points out that in the reply affidavit filed by the Municipal Corporation Faridabad, it is stated that as on 2009-2010, an amount of Rs.30,61,244/- (Rupees Thirty Lakh Sixty-One Thousand Two Hundred Forty-Four only) was due as Property Tax plus Fire Tax. As the petition against the Company (in Liqn.) was admitted on 18.03.2003, interest is not payable thereafter on the principal amount due. The Municipal Corporation Faridabad, should therefore also disclose the amount due from the Company (in Liqn.) as on 18.03.2003 and thereafter, without adding the interest component to the same.

6. Having considered the submissions made by the learned counsels, the Municipal Corporation Faridabad is directed to file on affidavit, the breakup of the amount claimed prior to the year 2010-11. Such affidavit be filed within a period of two weeks from today.

7. As far as the Dakshin Haryana Vidyut Nigam (DHVN), Faridabad,



Haryana is concerned, the learned counsel for DHVN submits that there are no dues payable by the Company (in Liqn.) *qua* the property in question.

8. Re-list on 6th December, 2022.

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9. The learned counsel for the Municipal Corporation Faridabad submits that its claim has been filed before the Official Liquidator, albeit with some delay.

10. The delay in filing of the claim, on the oral prayer made by the learned counsel for Municipal Corporation, shall stand condoned.

11. The Municipal Corporation Faridabad shall also be entitled to file further documents in support of the claim before the Official Liquidator within a period of two weeks from today

NAVIN CHAWLA, J

NOVEMBER 16, 2022/Arya