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

+ **CO.PET. 36/2013**

RE- M/S CATMOSS RETAIL PVT. LTD.

..... Petitioner

Through:

versus

....

..... Respondent

Through: Ms.Ruchi Sindhwani, Sr. SC with
Ms.Megha Bharara, Adv for OL.
Mr.Ruchir Mishra and Mr.Mukesh
Kr. Tiwari, Advs. for UOI.
Ms.Shankari Mishra, Adv. for ex-
management.
Mr.Suryakant Singla, Adv. for
applicant in CA No.1857/2015.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

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22.08.2022

OLR 12/2022

1. The present report has been filed by the Official Liquidator praying for the following reliefs:

“i) Status Report on behalf of the Official Liquidator be taken on record;

ii) Official Liquidator may be permitted to break open the locks of the premises mentioned at Sl. No.1, 3 & 4 in the table in Para 6 of the present report for making an inventory;

iii) Valuer may kindly be appointed to carry out valuation of Stock/inventory lying at the sites at Sl. No.1 to 5 & 7 to 16 in the Table in Para 6 of the present report;

iv) Official Liquidator, Ahmedabad, be directed to auction the stock/movables assets lying at 5/A Sudharma Society St.Xavier's School Road,



Navrangpura, Ahmedabad (mentioned S1.No.6 of para 6 of the report), through circulation of handbills in the vicinity of the area, if allow draft Handbill alongwith Terms and Condition (Annexure A(Colly)) may be approved.”

2. The OLR is taken on record.
3. In the OLR, the Official Liquidator (in short, ‘OL’) gives the following details of the premises where the movable assets of the company (in liquidation) are lying:

S. NO.	PROPERTY/ASSETS	SHIFTED TO	POSSESSION /STATUS
1.	GF-42, Ground Floor, TDI Mall, Agra (Kids apparel)	N.A	Visited on 05.02.2015 Shop found in locked condition; Seal of OL affixed and Security deployed. <i>Valuation not done</i>
2.	Shop no. 19, Ground Floor, Rave Moti Complex, Kanpur (Kids apparel)	Shifted to basement of this premises.	Visited on 08.02.2015 Moveable assets shifted in basement; possession of premises handed over in compliance of order dated 10.07.2017 <i>Valuation not done.</i>
3.	12, Second Floor, Z-Square Mall, 16/13, The Mall, M.G.Road, Kanpur, UP (Kids apparel)	N.A	Visited on 07.02.2015 Shop found in locked conditions; Seal of OL affixed. <i>Valuation not done.</i>
4.	Shop No.LGF-09, Lower Ground Floor, Opp. Big Mall, Viva Collage Mall, NIT-01, Paragpur, Jalandhar-Punjab	N.A	Visited on 13.02.2015. Shop found in locked condition; Seal of OL affixed. Security deployed.



	(Kids apparel)		<i>Valuation not done.</i>
5.	Shop No.14, Upper Ground Floor, Flamez Mall, Ludhiana (Kids Apparel)	Article shifted to the basement at Flamez Mall	Visited on 12.02.2015 <i>Valuation not done.</i>
6.	GF-02, Yamuna Chambers, Near Swastik Chaar Raasta C.G.Road, Ahmedabad (Kids apparel)	Shifted to 5/A, Sudharna Society, St. Xaviors School Road, Navrangpura, Ahmedabad-380009	Visited on 27.02.2015. Valued at Rs.1.40 lacs. Put to auction. No bids received. Reserve Price reduced by 20% and put to auction vide order dated 21.05.2018. Since no bids received, Reserve Price reduced by another 20% vide order dated 25.09.2018. To be auctioned.
7.	Shop No.B-03, LGF, Crystal Mall, Bani Park, Jaipur, Rajasthan (Kids apparel)	Given on superdari to the landlord	Visited on 03.05.2015. 182 pcs of Kids wear and packed in 4 gunny bags/cartons and one computed part packed in the gunny bags given to owner on Superdari. <i>Valuation not done.</i>
8.	Shop No. G-02, GF, Crystal Palm, 22, Godown Circle, Civil Lines, Jaipur, Rajasthan (Kids apparel)	Premises no. 2194, Deenanathji Ka Rasta, Chandpol Bazar, Opposite Vyas Bhawan, Jaipur on 04.07.2017	Visited on 03.05.2015. Stocks packed in 3 gunni bags shifted to another premises and possession handed over to landlord III compliance of order dated 25.04.2017. <i>Valuation not done.</i>
9.	Shop No.5 & 6, Era Mall, Meerut, UP (Furniture/fixture)	N.A.	Visited on 09.05.2015. Notice affixed. <i>Valuation not done.</i>
10.	Shop No. 21, Wave Mall, Near MIT College, Moradabad, UP (Kids apparel)	Shifted on 28.01.2016 to one room in basement of Wave Mall	Visited on 07.06.2015. Premises handed over to the owners. <i>Valuation not done.</i>



11.	Shop No. 30, First Floor, Paras Down Town Square Mall, Zirakpur, Punjab (Kids apparel)		Visited on 20.03.2015. Sealed the store room; stock was given on superdari. <i>Valuation not done.</i>
12.	Shop at Sunita Place Mini Mall, Madhavji Mills, Nagla Main Rd. Patna, Bihar (Kids apparel)		Visited on 02.09.2015. 235 pcs of Kids wear, packed in two cartons. Cartons given to Mr. Shiv Kumar/owner on superdari. <i>Valuation not done</i>
13.	H No-152, Sector-3, Extn. Trikuta Nagar, Jammu (Kids apparel)		Visited on 18.12.2015. 179 pcs of Kids wear, dummy 3 and Hanger 700 pcs are packed in six gunny bags. <i>Valuation not done.</i>
14.	Showroom of Catmoss At Sarita Vihar (Kids apparel)		Visited on 04.12.2014. Notice affixed. Security deployed. <i>Valuation not done.</i>
15.	Showroom of CATMOSS at B-28, Paschim Vihar, New Delhi (Apparels)		Visited on 04.12.2014. Notice affixed. Security deployed. <i>Valuation not done.</i>
16.	Shop No. 197, LGF, New Bel Road, Bangalore, Karnataka (Furniture/fixtures)		Visited on 06.07.2015. Symbolic possession of Interiors, furniture and fixtures. No garments were found in the premises. Interiors, furniture and fixture was given on superdari. <i>Valuation not done.</i>

4. As premises at Sl. nos.1,3 and 4 are stated to be under seal of the OL and no application has been filed by any party claiming possession of the



premises thus far, prayer 'ii' is allowed.

5. The OL is also permitted to appoint a valuer for carrying out valuation of the stock/inventory lying at the sites at Sl. nos.1 to 5 & 7 to 16 in the above Table.

6. As far as prayer 'iv' is concerned, the OL has stated that the movable assets contain garments manufactured in the year 2009-10 and last reserve price fixed by this Court vide order dated 25.09.2018 was at Rs.89,600/- (Rupees Eighty-Nine Thousand Six Hundred only). Accordingly, the Official Liquidator, Ahmedabad is permitted to auction the said stock/inventory through circulation of handbills in the vicinity of the area at the last reserve price, fixed vide order of this Court dated 25.09.2018. The draft of the Sale Notice annexed as 'Annexure A' to the present application is approved. .

CO.PET. 36/2013 & CO.APPL. 520/2017, 128/2020, 521/2020, 342/2021 & OLR 188/2019

7. List on 6th February, 2023.

NAVIN CHAWLA, J

AUGUST 22, 2022/Arya