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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 Mr. Neeraj Kumar Gupta, Advocate
for the applicant in CA 324/2017

Mr. Anurag Kalavatiya, Adv. for the applicant in
CA 3270/2016

M. Kritika, Proxy Counsel for the applicant in CA
3266/2015

Mr. Sanjeev Narula, CGSC with Mr. Anshuman
Upadhyay, Adv. for SFIO.

CORAM:

HON'BLE MR. JUSTICE JAYANT NATH

ORDER

% **25.04.2017**

CA 324/2017

This application is filed by the applicant seeking de-sealing of Shop No. 19, Ground Floor, Rave Moti Mall, Kanpur, U.P. It is urged that the said premises was let out to the Company in liquidation.

Learned counsel appearing for the Official Liquidator submits that the premises is lying sealed and an inspection has not yet been carried out. Needful be done on giving an advance notice to the applicant. After completion of inspection, the property may be re-sealed.

Learned counsel appearing for the applicant submits that in case any goods are lying in the said premises which have to be moved out, the applicant would provide necessary space in this regard. The Official



Liquidator to also inspect the alternative accommodation which the applicant is going to offer.

The applicant also submits that he is also willing to refund the security deposit of Rs.1,65,870/- payable to the Official Liquidator in the eventuality of possession of the premises being handed over the applicant

List on 10.07.2017.

CA No. 3270/2016

By this application, the applicant seeks a direction to the Official Liquidator that the premises being Shop No. G-02, Ground Floor, Crystal Palm, Near 22 Godam Circle, Civil Lines, Jaipur be de-sealed and peaceful possession of the property be restored to the applicant.

The OL has filed a reply. The OL has confirmed that the applicant-Shreya Petrochem Ltd. has the title of the property in its favour as it has agreement to sell dated 21.05.2008 in its name. A letter of taking possession of the property by the applicant is also available on record. The lease deed dated 01.05.2009 was also executed between the applicant and the Company in liquidation.

On 27.03.2017, the OL had submitted that the applicant would have to deposit a sum of Rs. 45,000/- on account of refundable security deposit lying with the applicant and the applicant would also have to furnish the details of alternate accommodation where the subject goods belonging to the company in provisional liquidation may be stored.

Learned counsel appearing for the OL confirms receipt of Rs.45,000/- from the applicant. He also confirms the receipt of alternative premises where the goods of the company in liquidation can be stored.

Accordingly, the OL may break open the seal of the said premises and



shift the subject goods to the alternative premises which have been offered by the applicant within four weeks from today and hand over possession of the premises in question to the applicant.

In view of the above, the application is disposed of.

CA No. 1343/2016

The OL will file the necessary details justifying the security deployment and other relevant information.

List on 10.07.2017.

JAYANT NATH, J

APRIL 25, 2017

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