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

\+ CO.PET. 15/2010

RE- M/S DIMENSION INVESTMENT & SECURITIES LTD

..... Petitioner

Through: Mr. Avinash Lakhanpal, Advocate.
Mr. A.P.S. Sehgal & Ms. Jagriti Ahuja, Advocates for applicant in CA No.1148/2013.
Mr. Febin Mathew, Advocate for applicant in CA No.1147/2013.
Mr. Amreesh Tyagi, Advocate in CA No.2212/2016.
Mr. Kanwal Chaudhary, Advocate for OL.

CORAM:
HON'BLE MR. JUSTICE SIDDHARTH MRIDUL

O R D E R

% **30.01.2017**

Co. Appl. No.1147/2013

Learned counsel for the non-applicant has stated that the reply has been filed but the same is not on record. He is directed to have the same placed on record after removing the objections within two days from today with an advance copy to the counsel for the OL, who may file response thereto, if any, before the next date of hearing.

Renotify on 6th July, 2017.

Co. Appl. No.1148/2013

Replies are stated to have been filed. Learned counsel for Official Liquidator does not have copy of the replies. Counsel is directed to give him copies during the course of the day. Response thereto, if any, be filed before the next date of hearing.

Renotify on 6th July, 2017.

Co. Appl. No.1453/2016

This application has been filed by the OL seeking permission to serve the directors of the SBIS Consultants (P) Ltd.-respondent company in Co. Appl. No.1168/2013, by way of substituted service since they could not be served at the address furnished by them before SFIO.

In view of foregoing, the OL is permitted to serve the directors personally as well as through company by way of publication in daily newspapers namely 'Statesman' and 'Jansatta', returnable on 6th July, 17.

The application is allowed and disposed of accordingly.

OLR No.22/2016

The prayers made in the report are as follows :-

> "(i) Report of the Official Liquidator may be taken on record.
>
> (ii) The CIBIL may kindly be directed to provide the present/latest whereabouts of Shr. Uday Dutt, Ex-director along with the copies of relevant documents/database available with them.
>
> (iii) The Official Liquidator may be permitted to release Rs.50,000/- plus Rs.9270/- aggregating to Rs.59,270/- as an interim payment and the remaining payment of Rs.25,000/- shall be considered after submission of final report."

It has been observed that by way of order dated 03.06.2011, the respondent company was directed to be wound up and the official liquidator (OL) attached to this Court was appointed as the provisional liquidator for the respondent company.

It has been stated by way of the present OLR that an application was filed by the OL seeking issuance of proclamation under Rule 9 of the Company (Court) Rules, 1959 read with section 82 of the Code of Criminal Procedure, 1973 against Mr. Uday Dutt, the Ex-Director of the respondent company in liquidation. By way of order dated 30.07.2015, the said application was allowed and publication of the proclamation was directed to be issued in two newspapers. It has been stated in the OLR that the publication was duly carried out on 21.11.2015 by the OL. It has further been stated in the OLR that by way of letter dated 27.08.2015 addressed to the OL by the Intelligence Bureau, Ministry of Home Affairs, the latter confirmed that in compliance to the order dated 30.08.2012, Look Out Circular (LOC) No. 2012405847 was issued on 15.04.2012 against Mr. Uday Dutt at the behest of the Deputy Commissioner of Police (EOW), Crime Branch, Delhi vide their reference number No. 549-SO-/DCP/EOW, Crime Branch, Delhi dated 04.04.2012 in case FIR No.007/07/01/2010 under Sections 420,406,120-B, Indian Penal Code, 1860 of Police Station- Fatehpur Beri, New Delhi. However, it has been stated that the whereabouts of Mr. Uday Dutt have yet not been traced.

It has been stated that the chartered accountant appointed by the Court has submitted its report dated 27.03.2015 in compliance with order dated 26.05.2014.

It has been observed that by way of order dated 01.2.2016, prayer clauses (ii) and (iii) stand allowed.

The present OLR is taken on record and disposed of accordingly.

OLR No.115/2016

The prayer made in the report is as follows:-

"Report of the Official Liquidator may be taken on record."

By way of order dated 01.02.2016, this Court directed the OL to file a fresh status report with regard to the work carried out by the chartered accountant appointed by the Court. Further, by way of the said order, the report of the chartered accountant was directed to be supplied by the OL to the respondent company. Furthermore, the OL was permitted to release Rs.50,000/- plus Rs.9270/- aggregating to Rs.59,270/- as an interim payment to the chartered accountant by way of the said order and it has been stated that the said amount has been disbursed on 29.03.2016.

In view of the above, the present compliance report is taken on record and disposed of accordingly.

Co. Appl. No.2212/2016 (for delay)

At request of counsel appearing on behalf of the applicant, in order to enable him to deposit the money in terms of the directions issued by this court by way of order dated 1.2.2016, the hearing of the application is adjourned.

Renotify on 6th February, 2017.

SIDDHARTH MRIDUL, J.

JANUARY 30, 2017
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