

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

FRIDAY, THE TWENTY THIRD DAY OF JUNE
TWO THOUSAND AND TWENTY THREE

**PRESENT
THE HON'BLE SRI JUSTICE T.VINOD KUMAR**

**COMPANY APPLICATION NO. 62 OF 2023
IN
COMPANY APPLICATION NO: 2091 OF 2009
IN
R.C.C. NO. 22 OF 2000**

Between:

S. Dada Peer, S/o M.D. Islam, Aged 60 years, R/o D.No.50/740, Birla Quarters,
Tungabhadra Industries Ltd., Workers Quarters, Tagore Nagar, Gooty Road,
Kurnool, A.P. **...APPLICANT**

AND

1. The Official Liquidator, High Court for the State of Telangana, 3-5-398, 1st Floor, Kendriya Sadan, Sultan Bazar, Koti, Hyderabad.
2. Y. Rajasekhar Reddy, S/o Y. Siva Reddy, Aged 72 years, R/o H.No. 50/760/D53 Gayathri Estate, Kurnool, Andhra Pradesh.
3. Chinna Narasimhulu, S/o Not known, R/o H.No.50/ 760-D20, Tungabhadra Industries Ltd. Workers Quarters, Tagore Nagar, Gooty Road, Kurnool, A.P.

...RESPONDENTS

Company Application Under Section 457 , 458 and 460 of Companies Act R/w. Rule 9 of the Company (Court) Rules, 1959 praying for the reasons stated in the accompanying affidavit, it is prayed that this Hon'ble Court may be pleased to direct the 1st respondent to execute conveyance/sale deed in favour of the Petitioners in respect of Co.operative Store and open land abutting, the Co.operative Store for the value fixed by this Hon'ble Court in the common order dt. 23-09-2022 in C.A.No. 275 of 2009 and batch .

This Application coming on for order upon reading the Judge's summons and the affidavit dated 21-02-2023 filed by Sri S. Dada Peer, Petitioner in support of the Application and upon hearing the arguments of Sri G. Sundaresan, advocate for the Applicant and learned Counsel for the Official Liquidator on behalf of the Respondent No. 1

The Court made the following: ORDER

This Court, by order dated 23-09-2022 in COMPA Nos. 275 of 2009 and batch, permitted the Official Liquidator to execute necessary conveyance / sale deeds in favour of the applicants therein for the land in excess of 48 sq. yds. However, insofar as the applicants in COMPA Nos. 208, 210 of 2010 are concerned, this Court directed the Official Liquidator to get the property surveyed to determine the excess land in their possession beyond 48 Sq. yds and thereafter execute conveyance/ sale deed in favour of the applicants therein.

However, learned counsel appearing on behalf of the applicants in COMPA Nos. 2091 and 2097 of 2009 would submit that the land in front of the Cooperative Stores is the frontage of his quarters and as of now he does not have proper access to his quarter and therefore he may also be granted similar relief as granted to other applicants for purchasing the excess land in his possession.

As from the applications filed as well as taking note of the fact that the land to which the applicants are laying claim is the open land in front of the Cooperative Stores of the Company – in –Liquidation, this Court is of the view that the Official Liquidator should be directed to get the actual position on ground surveyed to verify as to whether the claim being made by the applicant, that he is not having proper access to his house without the said land being purchased, as well as to ascertain the excess of land in from of the erstwhile Cooperative Stores of the Company –in- Liquidation apart from ascertaining that by effecting sale/conveyance deeds in respect of the said

land in favour of the applicants, would result any inconvenience or hindrance of access of other occupants of the properties in the neighbourhood.

List on 14-07-2023.

//TRUE COPY//

Sd/- K. SRINIVASA RAO
JOINT REGISTRAR

SECTION OFFICER

To

1) The Official Liquidator M/s. TUNGABHADRA INDUSTRIES (IN LIQN.)
High Court at Hyderabad for the state of Telangana Office at 1st floor corporate Bhawan, Nagole, Bandlaguda Thattiannaram Village Hayathnagar Mandal, Ranga Reddy District Telangana State Pin Code 500 680.

2) The Registrar of Companies, Ministry of Corporate Affairs, Government of India
2nd floor Corporate Bhawan, Nagole, Bandlaguda, Thattiannaram Village Hayathnagar Mandal, Ranga Reddy District, Telangana State Pin Code 500 680.

3) The Regional Director, South Eastern Region, Ministry of Corporate Affairs,
3rd floor Corporate Bhawan, Nagole, Bandlaguda, Thattiannaram Village Hayathnagar Mandal, Ranga Reddy District Telangana State, Pin Code 500 680.

4) The S.O. O.S. Section , High Court of Judicature at Hyderabad, for the State of Telangana.

5. One CC to SRI. G. SUNDARESAN, Advocate [OPUC]

6) Two C.D.Copies

An

HIGH COURT
DATED:23/06/2023

NOTE TO O.S. SECTION

LIST ON 14-07-2023

ORDER

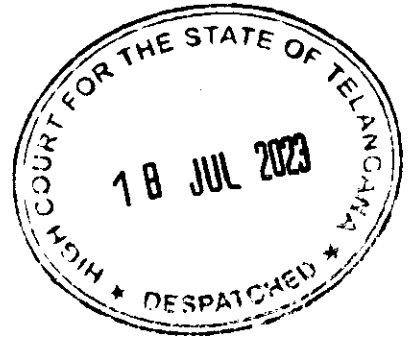
COMP.No.62 of 2023

IN

COMPANY APPLICATION NO. 2091 OF 2009

IN

R.C.C.NO. 22 OF 2000



DIRECTION

(8)

MA

18/7/23