

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORDINARY ORIGINAL CIVIL JURISDICTION**

**COMPLAINT NO.1 OF 2014  
IN  
COMPANY PETITION NO.937 OF 2002  
IN  
COMPANY PETITION NO.19 OF 2005**

The Official Liquidator of M/s.Kamlesh Shah)  
Publishers Distributors Pvt. Ltd. )....Petitioner  
V/s.

Mr.Kamlesh Navinchandra Shah )....Accused

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Mr.Mahendhar Aithe-Company Prosecutor present.

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**CORAM : K.R.SHRIRAM,J**

**DATE : 14.2.2018**

**P.C.:-**

1 This complaint has been filed by the Official Liquidator on the ground that Accused who was the director of the company in provisional liquidation has not complied with his statutory obligation under Sections 454(1) and 454(3) of the Companies Act, 1956 to make out and submit to the Official Liquidator a statement of affairs of the company. Since this was not done, this court on 5<sup>th</sup> September 2014 directed the Official Liquidator to file the present complaint.

2 In view of the averments in the complaint and the fact that admittedly accused has not filed the statement of affairs of the

company in liquidation before the Official Liquidator, the complaint is allowed in terms of prayer clause-(a).

3           The Registry is directed to issue process against accused, returnable on 18.4.2018.

**(K.R.SHRIRAM,J)**