

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

OFFICIAL LIQUIDATOR'S REPORT NO. 74 OF 2024
IN
COMPANY PETITION NO. 468 OF 2013

IN THE MATTER OF THE COMPANIES ACT,
I OF 1956

AND

IN THE MATTER OF KUMAR MOTORS PVT.
LIMITED (IN LIQUIDATION)

INNOVENTIVE INDUSTRIES LTD. (IN LIQ.N.))...PETITIONER

Mr.Rushabh Sheth, Advocate for the Official Liquidator.

Mr.Chandan Kumar, Official Liquidator, present in Court.

Mr.Anil Bhagure, Assistant Official Liquidator, present in Court.

CORAM : ABHAY AHUJA, J.

DATE : 20th JUNE 2024

P.C. :

1. When the matter is called out, Mr.Sheth, learned Counsel, submits that this Official Liquidator's Report *inter alia* seeks recall of order dated 27th July 2023 in Interim Application (L) No.22094 of 2021 pursuant to which the company petition was transferred to National Company Law Tribunal (NCLT).

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2. Mr.Sheth would submit that the transferred petition has been dismissed by the NCLT after hearing the parties on merits. However, since the Official Liquidator still holds charge of the assets, as in view of the dismissal of the petition by the NCLT, the assets could not be handed over to the Insolvency Resolution Professional, the order dated 27th July 2023 would need to be recalled. In addition, further directions with respect to breaking open the lock and taking physical possession of the immovable property of the company, appointment of Valuer and also permitting the Official Liquidator to file criminal complaint against the ex-directors for non-filing of statement of affairs of the company in liquidation, have also been sought.

3. However, Mr.Sheth informs that the transferee company has only been served on 12th June 2024.

4. In this view of the matter, list on **12th July 2024**.

5. It is made clear that if none appears for the noticees on the next date, who statedly have been served, this Court will consider the report and pass appropriate orders.

(ABHAY AHUJA, J.)