

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

INTERIM APPLICATION (L) NO.28359 OF 2022  
IN  
COMPANY PETITION NO.657 OF 2016

Mohinder Singh Dua and Anr. ...Applicants  
In  
Kishinchand R. Ludhani ...Petitioner  
vs.  
Kamla Landmarc Construction Pvt. Ltd. ...Respondents

Mr. C.R. Naidu a/w. Mr. Pradeep Kumar, for the Applicants  
Mr. Bipin Joshi, for Ex-Director.  
Mr. Aditya Pimple, for O.L.

**CORAM : N. J. JAMADAR, J.**  
**DATE : NOVEMBER 09, 2022**

**P.C.:**

1. Heard the learned counsel for the applicant.
2. Mr. Naidu invited attention of the Court to an order passed by this Court on 7<sup>th</sup> June, 2021 in Interim Application No. 8160 of 2020. It was submitted that no steps, as undertaken in the said order, to recover the amount from the entities which owe the dues to the company in liquidation, have been taken by the Official Liquidator. Notices have been issued to only 48 entities as against 136 third parties, other than Government entities, which owe the amount to company in liquidation. Even in the matters in which the notices have been issued, there has not been any diligent follow up.

Replies have been received only from 6 entities. No action post receipt of the replies has been taken.

3. Mr. Pimple, learned counsel for the Official Liquidator, submits that, indeed, steps were required to be taken by the Official Liquidator. However, for want of addresses of the sister concerns of the company in liquidation as well as other entities, the notices could not be issued. Mr. Pimple fairly submits that the matter has not been pursued in right earnest. Mr. Pimple, however, assures the Court that if the Ex-Directors cooperate the Official Liquidator in ascertaining the correct addresses of those entities, the Official Liquidator would address the notices, initiate necessary steps and also file a report indicating the steps which have been taken and which the Official Liquidator proposes to take for recovery of the amounts due to the company in liquidation.

4. Mr. Joshi, learned counsel for the Ex-Director assures the Court that the Ex-Director would furnish the necessary information and render cooperation to the Official Liquidator.

5. Let the Ex-Director furnish the addresses of the entities, especially the sister concerns of the company in liquidation, within

a weeks time, and render necessary cooperation to the Official Liquidator in initiating measures to recover the amount due to the company in liquidation.

6. The Official Liquidator shall within a period of three weeks thereafter take necessary steps and file a composite report within a period of four weeks from today.

7. List on 7<sup>th</sup> December, 2022.

**(N. J. JAMADAR, J.)**