

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

**INTERIM APPLICATION NO.287 OF 2024
IN
COMPANY PETITION NO.657 OF 2016**

Mohinder Singh Dua and ors. ... Applicants

In the matter between:

Kishanchand R. Ludhani ... Petitioner

Vs.

The Official Liquidator of Kamla Landmarc
Construction Private Limited ... Respondent

Mr. S. C. Naidu with Mr. T. R. Yadav, Advocates for the Applicants.
Mr. S. B. Trivedi i/by M/s Vimadalal and Co., Advocate for the Petitioner.
Mr. Ankit Lohia i/by Ms. Neha M. Shah, Advocates for Ex-Directors.
Mr. Mutahhar Khan, Advocate for the Official Liquidator.
Mr. Chandan Kumar, Official Liquidator is present.

**CORAM : ABHAY AHUJA, J.
DATE : 08 MARCH, 2024.**

PC. :

1. Pursuant to order dated 2nd February, 2024, today when the matter is called out, Mr. Ankit Lohia, learned counsel appears for the Ex-Directors or the Promoters of the company in liquidation viz. Mr. Jitendra R. Jain and Mr. Jinendra R. Jain and seeks to tender across the Bar an affidavit-in-reply dated 1st March, 2024. Mr. Lohia submits that a perusal of the

affidavit would indicate that Ex-Director/Promoter family/group have paid a total sum of Rs.2,90,63,000/- and that infact a sum of Rs.1,79,27,514/- has been paid in excess to the creditors of the company in liquidation and therefore, nothing is due to the Applicants. Mr. Lohia would submit that in addition Rs.3.26 crores is due to Mr. Jitendra Jain's wife from the company.

2. Mr. S. C. Naidu, learned counsel for the Applicants would submit that the statements made in the said affidavit are contrary to the facts on record and he would file an affidavit demonstrating the same.

3. Let the said affidavit-in-reply be filed by 28th March, 2024 with a copy of the other side. Rejoinder, if any, be filed by 5th April, 2024 with a copy to the other side.

4. List on 10th April, 2024.

(ABHAY AHUJA, J.)