

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

INTERIM APPLICATION (L) NO.28359 OF 2022
WITH
OFFICIAL LIQUIDATOR'S REPORT NO.165 OF 2022
IN
COMPANY PETITION NO.657 OF 2016

Mohinder Singh Dua and Another ...Applicants

In the matter of

Kishinchand R. Ludhani and Another ...Petitioner

vs.

Kamla Landmarc Construction Pvt. Ltd. ...Respondents

Mr. S.C. Naidu a/w. Ms. Divya Yajurvedi, Mr. Pradeep Kumar i/b.
C.R. Naidu & Co., for the Petitioners.

Mr. Bipin Joshi, for the Ex-Director.

Mr. Aditya Pimple, for the OL.

Mr. N.B. Trivedi i/b.Vimadalal & Co., for Ori. Petitioner.

CORAM : N. J. JAMADAR, J.

DATE : JANUARY 11, 2023

P.C.:

1. Heard the learned counsel for the parties.
2. The learned counsel for the Official Liquidator, on instructions, informs the Court that the direction contained in the order dated 7th December, 2022, with regard to prayer clauses (a) to (c) have been complied with.
3. The notice inviting the claims in terms of Rule 148 of the Companies Courts Rules, 1959 was published in two newspapers on 22nd December, 2022. However, no claims have been received as regards the directions contained in prayer clause (e).
4. Mr. Pimple, submits that though an attempt was made to sale

the property of the company in liquidation by e-auction, no bid was received. This was probably on account of lack of adequate publicity of e-auction.

5. Let another effort for sale of the assets of the company in liquidation be made, and the notice of e-auction in terms of prayer clause (e) be also published in two newspapers "Free Press Journal" and "Navshakti".

6. An affidavit sworn by Mr. Mohindersingh Dua is filed. In paragraph 18 of the affidavit, the deponent had referred to the amount which the Ex-Directors of the company in liquidation and the related parties owe to the company liquidation.

7. Mr. Joshi, learned counsel for the Ex-Directors, seeks further time to file affidavit in reply and also deal with the contentions in the affidavit of Mr. Mohindersingh Dua.

8. Let such affidavit in reply be filed within a weeks time and its copy served on the Official Liquidator and the applicant in Interim Application (L) No.28359 of 2022.

9. On the next date Mr. Jitendra R. Jain and Mr. Jinendra R. Jain, the Ex-Directors of the company in liquidation, shall remain present before the Court.

10. List on 25th January, 2023.

(N. J. JAMADAR, J.)