

OD-7-8

IN THE HIGH COURT AT CALCUTTA
Original Jurisdiction
ORIGINAL SIDE

IA NO. CA/6/2023
In CP/22/1989

IN THE MATTER OF KHEMKA PLASTIC UDYOG
LTD. (IN LIQN.)
Vs
ASHOK KHEMKA ..APPLICANT -VS- THE O/L, HIGH
COURT, CALCUTTA... RESPONDENT

IA NO. CA/7/2024
In CP/22/1989

IN THE MATTER OF KHEMKA PLASTIC UDYOG
LTD. (IN LIQN.)
Vs
ASHOK KHEMKA -VS- OFFICIAL LIQUIDATOR

BEFORE:

The Hon'ble JUSTICE SABYASACHI BHATTACHARYYA

Date : 17th January, 2025

Appearance:
Mr. Dilip Kumar Ghosh, Adv,
...for applicant.
Mr. Sashwat Nayak, Adv.
Mr. Gourab Kr. Das, Adv.
Mr. Mahesh Joshi, Adv.
Mr. Sandeep Joshi, Adv.,
Mr. Kajal Dutta, Adv.
...for respondent no. 6
Ms. Smita Das De, Adv.
Mr. Debrup Bhattacharyya, Adv.
Mr. Steven S. Biswas, Adv.
...for security agency.
Mr. Tanushuree Dasgupta, Adv.
...for Official Liquidator

The Court:- Learned Counsel for the Official Liquidator points out that there are several payables which are required to be met from the corpus of the funds of the company in liquidation.

The Official Liquidator is directed to file an affidavit on the next returnable date disclosing the particulars and sum total of the said

expenses which are to be met from such funds. An advanced copy of the same shall be served on the applicants in CA 6 of 2023 and CA 7 of 2024.

It will be open to the Official Liquidator as well as the applicants in CA 6 and 7 of 2023 to sit together and have a resolution on such issue in the meantime.

The Official Liquidator shall appoint a valuer from his panel within a week from date for the purpose of carrying out an exhaustive valuation of the assets of the company in liquidation, both movable and immovable. It will be open to the applicants in CA 6 of 2023 and CA 7 of 2024 also to appoint an independent valuer within a week from date. The Official Liquidator and the said applicant shall exchange the names of their respective valuers so appointed. The valuers shall have a joint inspection of the property upon prior notice to each other and thereafter file a joint report on the next returnable date before the Court giving the exact valuation as indicated above. Copies of such joint report shall be circulated in advance among the parties.

The entire exercise shall be concluded by February 14, 2025, when the matter shall next be listed under the same heading. The entire expenses of the above exercise shall be borne by the applicant in CA 6 of 2023 for the time being, subject to final orders being passed by the court.

(SABYASACHI BHATTACHARYYA, J.)

SK.