

IN THE HIGH COURT AT CALCUTTA
ORIGINAL JURISDICTION
ORIGINAL SIDE

IA NO. CA/5/2023
In
CP/22/1989
IN THE MATTER OF
KHEMKA PLASTIC UDYOG LTD. (IN LIQN.)
And
ASHOKE RANJAN DAS
VS
O/L

IA NO. CA/6/2023
In
CP/22/1989
IN THE MATTER OF
KHEMKA PLASTIC UDYOG LTD. (IN LIQN.)
And
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.)
And
ASHOK KHEMKA
-VS-
OFFICIAL LIQUIDATOR.

BEFORE:
The Hon'ble JUSTICE SABYASACHI BHATTACHARYYA
Date: 12th September, 2024.

Appearance:
Mr. Soumabho Ghose, Adv.
Ms. Tiana Bhattacharyya, Adv.
Mr. Dilip Kumar Ghosh, Adv.

Mr. Suddhasatva Banerjee, Adv.

Mr. Sashwata Nayak, Adv.
Mr. Gaurab Kumar Das, Adv.
Mr. Mahesh Kumar Joshi, Adv.
Mr. Sreyash Kumar Singh, Adv.

Ms. Tanusree Dasgupta, Adv.

The Court: Learned counsel for the Official Liquidator, on instruction, hands over a statement of expenditure which alleges that a total amount of Rs.22,30,808/- is to be paid by the petitioner to the Official Liquidator.

Learned counsel for the applicant, who seeks to revive the company, points out gross discrepancies in the same. Whereas in a report filed in the form of an affidavit and affirmed on August 21, 2024, it was indicated in a chart that the closing balance as on April 23, 2024 was Rs.4,239.59 after deduction of security expenses as shown in the said chart, substantially for the self-same period, that is, from January, 2023 till August, 2024, a repeat claim has been made now by the Official Liquidator. The claim made in the document handed over today in Court contains an overlap on security expenses from the period between January, 2023 till April, 2024.

The said claim made today is palpably contrary to the version of the Official Liquidator on August 21, 2024 and, thus, has to be taken with not a pinch but loads of salt.

The Court is rather surprised at such contradictory stand being taken by the Official Liquidator. In order to give a last opportunity to the Official Liquidator to come up with a clean calculation of dues, if any, the matters are postponed till September 17, 2024, to be taken up at 2 P.M.

The Official Liquidator is, however, cautioned that no overlapping claims which have already been accounted for should be made in the said claim, if any.

The document handed over in Court today is kept on record.

It is made clear that the new version of the alleged dues to the Official Liquidator which shall be filed on September 17, 2024 shall be in full and final disclosure of all the alleged claims of the Official Liquidator. Advance copies of the same shall be circulated among the learned advocates for the other parties.

(SABYASACHI BHATTACHARYYA, J.)