

OD – 1, 2 & 3

ORDER SHEET  
IN THE HIGH COURT AT CALCUTTA  
Original Jurisdiction  
ORIGINAL SIDE

CA 40 OF 2013  
CA 400 OF 2013  
BIFR 520 OF 1992

IN THE BHARAT PROCESS & MECHANICALS ENG. LTD. (IN LIQN.)  
-AND-  
RE: T.P.G.EQUITY MANAGEMENT P. LTD  
Versus  
O/L, HIGH COURT, CAL

CA 41 OF 2014  
CA 409 OF 2014  
BIFR 520 OF 1992

RE: BHARAT PROCESS & MECHANICALS ENG. LTD. (IN LIQN.)  
-AND-  
RE: T.P.G.EQUITY MANAGEMENT P. LTD  
Versus  
O/L, HIGH COURT, CAL

CA 42 OF 2014  
CA 524 OF 2014  
BIFR 520 OF 1992

IN THE BHARAT PROCESS & MECHANICALS ENG. LTD. (IN LIQN.)  
Versus  
O/L

BEFORE:

The Hon'ble JUSTICE I. P. MUKERJI

Date : 12<sup>TH</sup> MARCH, 2021.

Appearance:

Mr. Vipul Kundalia, Adv.

Ms. S. Saha, Adv.

Mr. K. Shah, Adv.

Mr. S. Roy, Adv.

...For the Petitioner

Ms. Lapita Banerjee, Adv.

Ms. S. Datta, Adv.

...For T.P.G. Equity Management Private Limited

Mr. S. Banerjee, Adv.

Mr. R. L. Mitra, Adv.

...For B.P.M.E.L. Shramik Union

Mr. Jayanta Banerjee, Adv.

Mr. A. Bhattacharjee, Adv.

...For O/L.

Mr. N. L. Sighania, Adv.

Mr. S. Chakraborty, Adv.

...For U.O.I

The Court : This Court records with great consternation and disgust the utter apathy and disregard, the Official Liquidator attached to this Court and the District Magistrate, Keonjhar district, Odisha have shown to its orders dated 9<sup>th</sup> August, 2019, 15<sup>th</sup> November, 2019 and 20<sup>th</sup> December, 2019. The properties belonging to the company in liquidation have not been identified. Meanwhile, records have been produced in this Court to show that the District Collectorate is trying to dispose of some of its properties in Certificate Case proceedings.

In those circumstances, I pass the following orders :

- (i) The Official Liquidator attached to this Court shall personally go to the site in Odisha within three days of communication of this order.
- (ii) He shall personally apprise the District Magistrate, Keonjhar district of the substance of this order passed by this Court, assuming he is aware of the earlier orders.
- (iii) The Official Liquidator along with the District Magistrate shall comply with the said orders of this Court by 23<sup>rd</sup> March, 2021 and file a joint report in this Court by 25<sup>th</sup> March, 2021. Copies of the report should be circulated to all the appearing parties.
- (iv) I issue an order restraining the District Magistrate, Keonjhar or any other authority to transfer or deal with any of the properties belonging to the company in liquidation without the leave of this Court.

List the applications (CA No.40 of 2013, Old CA No.400 of 2013, CA No.41 of 2014, Old CA No.409 of 2014, CA No.42 of 2014, Old CA No.524 of 2014) along with the application (CA No.5 of 2020) on 26<sup>th</sup> March, 2021.

(I. P. MUKERJI, J.)