

S U P R E M E C O U R T O F I N D I A

RECORD OF PROCEEDINGS

I.A.No. 1 In &

Petition(s) for Special Leave to Appeal (Civil)...../2007

CC 1298/2007

(From the judgement and order dated 13/03/2006&22/12/2006 in

CP No. 40/1997 & CA No. 179/2006 of The HIGH COURT OF

GUJARAT AT AHMEDABAD)

MANOR INVESTMENT CO. PVT. LTD. & ANR.

Petitioner(s)

VERSUS

KHIMJIBHAI SANABHAI PARMAR

Respondent(s)

(With appln(s) for permission to file SLP and office report)

Date: 15/02/2007 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.H. KAPADIA

HON'BLE MR. JUSTICE B. SUDERSHAN REDDY

For Petitioner(s)

Mr. K.Sultan Singh,Adv.

Mr. Jagjit Singh Chhabra,Adv.

Mr. G.Pandey,Adv.

For Respondent(s)

UPON hearing counsel the Court made the following

O R D E R

Permission to file SLP is granted.

Delay condoned.

The special leave petition is dismissed.

Although we have dismissed the matter, it will be open to the petitioners to move the High Court after filing an inventory of the items which the petitioners have removed from the custody of the liquidator and after returning the said goods to the custody of the liquidator and subject to the petitioners paying all costs, charges and expenses, if incurred by the liquidator. In case,

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the liquidator finds that any of the items taken away by the petitioners earlier is found missing, the petitioners shall be asked to pay the realizable value of such item by the liquidator. This exercise must be carried out within eight weeks from the date of the receipt of this order by the liquidator. The inventory to be prepared by the petitioners must tally with the records of the liquidator.

If within the above time-frame the petitioners comply with the above directions only then the petitioners are given liberty to move the High Court for reconsideration of its direction contained in the impugned order dated 22.12.2006 referring the matter to the police.

[SUMAN WADHWA]

COURT MASTER

[MADHU SAXENA]

COURT MASTER