

(2021) 04 JH CK 0103
In the Jharkhand High Court
Case No : CP. No. 2 Of 1996 (R)

Kumardhubi Metal Casting & Engineering Ltd.	APPELLANT
Vs	
Kumardhubi Karamachari Congress & others	RESPONDENT

Date of Decision : 09-04-2021

Acts Referred:

Citation : (2021) 04 JH CK 0103

Hon'ble Judges : Aparesh Kumar Singh, J

Bench : Single Bench

Advocate : Himanshu Kr. Mehta, A. Allam, M.M. Pal, Richa Sanchita, Anil Kr. Singh, Abhay Prakash

Judgement

Two reports have been submitted by the Official Liquidator, one on 07.04.2021 and the other on 08.04.2021. As per the reports, there are four bidders in the fray namely, Chalice Real Estate LLP, Ranchi, Ganpati Villa Mansion Pvt. Ltd., Kolkata, Hemal Corporation, Ghatkopar (West), Mumbai and Al Sifah Minerals Private Limited, Jamshedpur. Though by order dated 26.03.2021, it was indicated that bids shall be opened before this Court on 09.04.2021 i.e. today, but except one bidder Al Sifah Minerals Private Limited through its Director Faiyaz Khan who is said to be present along with his counsel Mr. Abhay Prakash online, rest of the three bidders are not present. On the part of bidder Al Sifah Minerals Private Limited, request has been made through I.A. No. 2129/2021 for permission to carry out inspection of the assets of the Company under liquidation. Since all the bidders are not present today, bid documents are not being opened in their absence. Date for opening of the bids and auction is fixed on 16.04.2021. All the bidders shall be present on that date with proper authorization of their Company. If any of the bidders have not submitted the audited balance sheet and income tax returns for the last three financial years till date, they shall submit it before the Official Liquidator latest by 14.04.2021. Since the date of opening of bids is extended due to the aforesaid circumstances, request for inspection of the assets of the Company under liquidation made by the bidder Al Sifah Minerals Private

Limited through I.A. No. 2129/2021 is accepted. Counsel for the Official Liquidator submits that rest of the bidders have already inspected the assets of the Company. Learned Official Liquidator shall allow inspection of the assets of the Company under liquidation by the bidder Al Sifah Minerals Private Limited to be conducted latest by 13.04.2021.

2. Matter be listed on 16.04.2021. Official Liquidator should be physically present to assist the Court on the next date.

3. Learned counsel for the Intervenor M/s SSG Renew-Tech Pvt. Ltd. has filed an interlocutory application bearing I.A. No. 2128/2021 seeking permission to withdraw from the list of parties interested in purchasing the assets of the Company under liquidation. Learned counsel for the applicant M/s SSG Renew-Tech Pvt. Ltd. submits that on account of genuine reasons, Company does not intend to participate in the bid. As such, prayer made in the instant I.A. is allowed. I.A. is disposed of.