

(2011) 11 JH CK 0031

In the Jharkhand High Court

Case No : Company Petition No. 1 of 1979 (R)

M/s. Karanpura Mining Corporation

APPELLANT

Vs

M/s. Nalanda Ceramics and Industries Ltd.

RESPONDENT

Date of Decision : 11-11-2011

Acts Referred:

Citation : (2011) 11 JH CK 0031

Hon'ble Judges : R.K. Merathia, J

Bench : Single Bench

Judgement

R.K. Merathia

1. Report of the Official Liquidator dated 29/06/2011 at Flag 20. Affidavit verifying accounts at Flags 19 and 23 are taken on records.

2. The Official Liquidator informs that the I.A. Nos. 907 of 2008 and 1892 of 2007 and counter affidavit dated 25/01/2005 (Flag 5), filed on behalf of the BSIDC are not being pursued by it and, therefore, it becomes infructuous.

He further informs that the reports of the Official Liquidator dated 13/07/2005, reports dated 27/08/2004 at Flags 1 and 2, supplementary affidavit dated 17/03/2005, filed on behalf of Harihar Nath (share holder) at flag6, I.A. No. 2928/2003 (Flag 8), filed on 18/12/2003 on behalf of the Intervenor, counter affidavits filed on 23/04/2007 at flag B and counter affidavit filed on 06/04/2005 at flag 7, are not pressed and/or become infructuous.

Accordingly, the office need not place them unless ordered.

3. Nobody appears to place I.A. No. 2979 of 2011, filed on behalf of the J.S.E.B. at flag 21.

However, one more opportunity is given to J.S.E.B. to press it on the next date.

4. Report of the Official Liquidator dated 04/10/2011 at flag 22. As prayed, the Official Liquidator is permitted to publish the sale notice for the sale of assets

and assignment of the unexpired period of leasehold right of the company in respect of the leasehold properties of the company in liquidation lying at the factory premises at Village Getalsud, P.S. Angara, Distt. Ranchi, as per the inventory list of the assets submitted by Sri. Mukesh Kumar Agrawal, valuer in his unpriced report with a fixed earnest money deposit of Rs. 50,00,000/- (fifty lakhs only).

The Official Liquidator is also permitted to publish sale notice in Economic Times (English), published from Kolkata, in Prabhat Khabar (Hindi) published from Ranchi, Patna & Kolkata and in Hindustan Times (English and Hindi)) published from Ranchi, fixing the date of sale as 16th December 2011.

The Official Liquidator is also permitted to incur the cost of publication out of the Official Liquidator's Establishment Fund to be recovered from the sale proceeds of the assets of the Company in liquidation at the first instance.

5. The Official Liquidator will negotiate the bill of the valuer Sri. Mukesh Kumar Agrawal in presence of secured creditors, if they so like.

Let a copy of this order be handed over to the Official Liquidator.