

(2023) 04 MP CK 0064

In the Madhya Pradesh High Court

Case No : Company Petition No. 2 Of 2001

M/S Maheshwari Proteins Ltd.

APPELLANT

Vs

Recd. From Bifr New Delhi

RESPONDENT

Date of Decision : 17-04-2023

Acts Referred:

Companies Act, 2013 — Section 247

Citation : (2023) 04 MP CK 0064

Hon'ble Judges : Subodh Abhyankar, J

Bench : Single Bench

Advocate : Pbs.Nair, M.Nair, Ku.B.Joshi, Vk.Dubey, O.L.

Final Decision : Allowed

Judgement

Subodh Abhyankar, J

Counsel for the State submits that reply to I.A.No.3058/2022 is not necessary and may be heard finally.

Counsel appearing for the respondent/Auction purchaser Saad Trading company has submitted their reply is already filed on record and thus, the matter may be heard finally.

Counsel for the applicant has submitted that he was waiting for the State's reply and until now had not filed any rejoinder to the reply filed by the respondent/ Saad Trading Company and further seeks two weeks time to take proper instructions and file rejoinder, if necessary.

Prayer appears to be reasonable.

Also heard on OLR No.26/2022 which is an application filed by the Official Liquidator seeking the following relief:-

- (i) The report of the Official Liquidator may kindly be taken on record.
- (ii) In view of Para 12 above, Official Liquidator may kindly be permitted to sale

the aforesaid terrace premises of the Company (in-liqn.) on â??AS IS WHERE IS AND WHATSOEVER THERE IS BASIS.â? Further, before proceed for the sale, as the valuation of the terrace premises was carried out in the year 2016 and is much older, in this regard Official Liquidator may kindly be permitted to carry out fresh valuation of the terrace (4000 Sq.ft) premises situated at Maheshwari Complex, 101, Power House Road, Dist.-Ratlam (M.P.) from Registered, valuer as prescribed under Section 247 of the Companies Act, 2013 read with The Companies (Registered Valuers and Valuation) Rules, 2017 on actual Professional Fee but not more than Rs.30,000/-(inclusive of all taxes) to be paid out of the fund available in the account of the Company (In-Liqn.).

Counsel for the official liquidator has submitted that the Official Liquidator is seeking revaluation of the properties of the company liquidation as the earlier valuation was done in year 2016.

Prayer appears to be reasonable.

OLR.No.26/2022 stands allowed in terms of relief no.2.

Let the matter be listed on 19.06.2023 and also for hearing on I.A.No.14998/2017.