



- iii. That, pending the admission, hearing and final disposal of the Petition, the Official Liquidator or some other fit and proper person be appointed provisions liquidator of the said Company to take charge of all the receivables, its assets, properties vouchers, documents, bank account, etc. with all powers under the provisions of the Companies Act, 2013.
3. As evinced from our records, we note that vide order dated 17.05.2023, the Petitioner was directed to serve copy of the captioned Company Petition to Registrar of Companies (Mumbai), Income Tax Authority and was further directed to carry out paper publication in FORM WIN-6.
4. The Petitioner Company hereby submits that it has complied with aforementioned order dated 17.05.2023, and has filed an affidavit of Compliance to the same effect.
5. However, as recorded via order dated 05.10.2023, there was no representation on behalf of the Respondent(s). Thereby, this Bench directed the Registry as well as the Petitioner to carry out service of notice to the Respondent(s). The same was duly complied with. Thereafter, vide order dated 04.12.2023, the Petitioner was directed to carry out personal service of notice to the Respondent(s). The same was duly complied with as well.
6. On 18.01.2024, this Bench once again directed the Respondent(s) herein to file reply within two weeks. However, there was no representation from the Respondent(s) side nor file reply.
7. Ld. Counsel for the Petitioner for the Petitioner submits that the Respondent Company is not carrying on business activity.
8. The last Audited Balance Sheet as on 31<sup>st</sup> March 2002 is placed on record as "Exhibit C" to the Company Petition.

9. Accordingly, it is hereby order as follows: -
- a. The Petition of the Petitioner Company for winding up is allowed;
  - b. This Bench hereby appoints **Mr. Manoj Anant Mainkar**, having email- id; **manojmmainkar@yahoo.com** and having IBBI Registration No. **IBBI/IPA-001/IP-P01221/2018-2019/11926** as liquidator, to carry out functions u/s 275(3) of the Companies Act, 2013 r/w Companies (Winding Up) Rules, 2020 and orders the said Liquidator to take charge of the property and effects of the Respondent Company.
  - c. The Liquidator shall be entitled to the remuneration prescribed under Regulation 4 of IBBI (Liquidation Process) Regulations, 2016;
  - d. The Respondent Company is directed to pay cost of Rs.50,000/- to the liquidator towards the expenses of the winding up procedure which shall be subject to adjustment against liquidation cost and remuneration.
  - e. The Bench hereby directs the liquidator to file a declaration as required u/s 275(6) of the Companies Act, 2013 within seven days of his appointment.
  - f. The Petitioner to publish notice of winding up order having been passed in form WIN 14 pursuant to Rule 20 of Companies (Winding Up) Rules, 2020 in the “**Business Standard**” in English and “**Navshakti**” in Marathi being newspapers widely circulating in the State of Maharashtra within fourteen days of date of this order.
  - g. This Bench hereby directs the Registry under section 277(1) of the Companies Act, 2013 r/w Companies (Winding Up)

Rules, 2020 to send intimation to the Liquidator and Registrar of Companies, Mumbai within seven days of passing of the order by registered Post/ Speed Post and through mail.

- h. The Bench further directs the Liquidator to submit the report in terms of Section 281 of the Companies Act, 2013 within 60 days from this order; and
  - i. The Bench directs that the available surplus amount from such sale transaction which is receivable by the said Respondent Company be handed over to the Liquidator.
10. The Bench also directs no suits or other legal proceedings shall be commenced or extend on the date of the winding up order, shall be proceeded with, by or against the Respondent Company, except with leave of this Tribunal and subject to such terms as the Tribunal may imposed.

Sd/-

**ANU JAGMOHAN SINGH**  
**Member (Technical)**

Sd/-

**KISHORE VEMULAPALLI**  
**Member (Judicial)**