

**(2011) 07 JH CK 0052**

**Jharkhand High Court**

**Case No:** Company Petition No. 1 of 1958 P and Title Suit No. 1 of 1975 P

Chhotanagpur Banking  
Association (in Liquidation)

APPELLANT

Vs

Official Liquidator <BR> Ram  
Parosh Mahto and Others Vs The  
Chhotanagpur Banking  
Association

RESPONDENT

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**Date of Decision:** July 8, 2011

**Acts Referred:**

- Companies Act, 1956 - Section 497, 497(6), 509, 509(6)

**Citation:** (2011) 4 JCR 59

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

**Bench:** Single Bench

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**Judgement**

@JUDGMENTTAG-ORDER

R.K. Merathia, J.

Report of the Official Liquidator dated 05/07/2011 (Flag41)

As prayed, M/s P. Kumar & Associates, Chartered Accountants, Ranchi, is appointed as Auditor to audit the accounts of the Companies as mentioned in Paragraph6 of the report.

As suggested, he is permitted to pay the fees of the Auditor @ Rs. 4000/- (four thousand) per year per company.

The fees will be paid from the Official Liquidator's Establishment fund in case of companies having no funds or inadequate funds and in case of companies having funds, from the funds of the companies in liquidation.

The said Firm is also appointed for the purpose of audit of the Official Liquidator's Establishment Accounts for the year 20102011. The fees is fixed @ Rs. 4000/(four

thousand) for the 20102011, which shall be paid from the Official Liquidator's Establishment fund.

The report must be submitted within two months from today.

This report stands disposed of.

## 2. Report of the Official Liquidator dated 06/07/2011 (Flag 42)

The Official Liquidator refers to Para8 of the report, which reads as follows:

Santhal Pargana Electric Supply Corporation Ltd., is in creditors voluntary winding up since 24/09/1960 and the liquidator appointed by the Creditors /company has carried out the liquidation proceeding relating to the affairs of the said company. The said liquidator has also submitted his statement of account of winding up in Form No. 156 of the Companies (Court) Rules, 1959 pursuant to Section 509 of the Companies Act, 1956 which indicates the details of receipts and payments made. Further in the meeting held on 27/06/1973 the members of the company in voluntary liquidation has accepted the accounts of the voluntary liquidator and resolved for the dissolution of the company and the manner in which the books and records are to be disposed. The accounts of the voluntary liquidator have been examined by the Official Liquidator in terms of provisions of Section 509(6) of the Companies Act, 1956 and it appears that the affairs of the company namely Santhal Pargana Electric Supply Corporation Ltd., appears to have not been conducted in a manner prejudicial to the interests of its members or to the public interest and in view of that the Hon"ble Court may kindly consider passing order for dissolution of the said Company.

On being satisfied, I order for dissolution of the said Company namely Santhal Pargana Electric Supply Corporation Ltd. (in voluntary liquidation). The Official Liquidator will furnish a copy of the order before the Registrar of the Companies, Patna for doing needful.

This report stands disposed of.

## 3. Report of the Official Liquidator dated 07/07/2011.

He refers to para7 of the report, which reads as follows:

Shree Goswami & Company Pvt. Ltd., is in members voluntary winding up since 30051970 and the liquidator appointed by the company has carried out the liquidator proceeding relating to the affairs of the said company. The said liquidator has also submitted his statement of account of winding up in Form No. 156 of the Companies (Court) Rules, 1959 pursuant to Section 497 of the Companies Act, 1956 which indicates the details of receipts and payments made. Further in the meeting held on 29/11/1988 the members of the company in voluntary liquidation has resolved for the dissolution of the company and the manner in which the books and records are to be disposed. The accounts of the voluntary liquidator have been

examined by the Official Liquidator in terms of provisions of Section 497(6) of the Companies Act, 1956 and it appears that the affairs of the company namely Shree Goswami & Company Pvt. Ltd, appears to have not been conducted in a manner prejudicial to the interests of its members or to the public interest and in view of that the Hon"ble Court may kindly consider passing order for dissolution of the said Company.

On being satisfied, I order for dissolution of the said Company namely Shree Goswami & Company Pvt. Ltd. (in voluntary liquidation). The Official Liquidator will furnish a copy of the order before the Registrar of the Companies, Patna, for doing the needful.

This report stands disposed of.

4. Report of the Official Liquidator dated 29/06/2011 (Flag40)

This report along with accounts at flag38, be kept on the record.

Let a copy of this order be given to the official liquidator, as prayed.