

Standing Counsel for Official Liquidator ["OL"], who has accepted the same, without prejudice to her rights and contentions. Mr. Sharma further states that the balance arrears shall be paid on the next date of hearing.

2. Re-notify on 1<sup>st</sup> August, 2023.

CO.APPL. 19/2023 (for condonation of delay in re-filing)

3. For the grounds and reasons stated therein, application is allowed and delay in re-filing CO. APPL. 18/2023 is condoned.

4. Disposed of.

CO.APPL. 18/2023 (for modification of order dated 2<sup>nd</sup> May, 2022)

5. Applicant seeks clarification of order dated 02<sup>nd</sup> May, 2022 passed in C.A. No. 219/2021. *Vide* the said order, after forming a *prima facie* view that Applicant was attempting to usurp the Company's properties, liberty was given to the OL to file an FIR against Directors of the Applicant.

6. In the opinion of the Court, since the aforesaid observations were made only on a *prima facie* basis, no modification is necessary. Nonetheless, it is clarified that the observations against the Applicant made in the order shall not be construed as findings of fact, and the investigation in FIR shall proceed independently, on its own merits and evidence, without being influenced thereby.

7. Accordingly, the application is disposed of.

CO.APPL. 206/2023 (u/Rule 272 r/w Rule 9 of the Company (Court) Rule 1959, on behalf of the Official Liquidator)

8. The OL had, on a previous occasion, attempted to sell the Company'

properties mentioned in paragraph No. 3 of the application; however, no bids were received. Thus, the OL now seeks to conduct a fresh auction with respect to the said properties.

9. In view of the above, the application is allowed with the following directions:

(i) OL is permitted to conduct sale/E-auction of the properties of the Company situated at Flat No. 104 and 107, First Floor, Gururam Dass Bhawan, A3 and A4, Community Centre, Near Satyam Cinema, Ranjit Nagar, New Delhi, through the e-auction agency M/s Railtel Corporation Limited.

(ii) E-auction Sale Notice and Terms and Condition of sale annexed with the application [Annexure-D], is approved.

(iii) OL shall publish the sale notice in the New Delhi and NCR editions of 'Hindustan Times' (English) and 'Dainik Jagaran' (Hindi) newspapers. Expenses for publication are permitted to be borne from the funds of the Company.

10. The application stands disposed of.

#### OLR 106/2018

11. The relief sought in the present report is rendered infructuous as the property in respect whereof directions were sought, stands auctioned *vide* judgement dated 29<sup>th</sup> November, 2019.

12. Accordingly, the OLR is disposed of as infructuous.

#### OLR 17/2022

13. The relief sought in the present report is rendered infructuous as the possession of the property in respect whereof directions were sought, has