

SHEPHALI

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMPANY PETITION NO. 949 OF 2014

Anil Bajranglal Agarwal
Versus
Mantri Realty Limited

...Petitioner

...Respondent

Mr. Anil Agarwal, with Mr. Rohit Sharma, i/b Siddharth Murarka,
for the Petitioner in CP/949/2014.

Mr. A. Daver, i/b Sahil Mahajan for the Company

Mr. Sanjay Varma, Assistant Official Liquidator, is present.

CORAM: G.S. PATEL, J

DATED: 22nd September 2016

PC:-

1. The Official Liquidator complains that after having made arrangements for a temporary electricity supply to Mantri Realty's Marine Lines Office yesterday and keeping his entire staff present there, there was no Director present at the site. Mr. Rane, one of the Company's directors, and who is present in Court today, apparently deputed somebody else, who in turn said that he was not privy to any information and could be of no assistance. This prevarication has happened before, and more than once. It must now stop.

2. By tomorrow, 3.00 p.m. I expect complete compliance. The Company will hand over all its accounts and records in both hard

and soft copy to the Official Liquidator. At this stage, Mr. Davar states that the physical records are given to the Company but the soft copies cannot be given because, and I find this astonishing, the Company is unable to access those soft copies. There is a password required to access the server and none of the Directors or Managers of Mantri Realty know this password. It was with an IT Administrator who has since left. If this is so, it is an additional piece of irresponsibility from the Company that it should have allowed critical records to be maintained in this fashion.

3. The Official Liquidator will immediately take physical possession of all the computers at the Mantri Realty Office. The Deputy Registrar, IT is directed to depute a senior person to immediately visit the location. The Official Liquidator is to remove all the servers from that location under the supervision of a person deputed by the Deputy Registrar, IT. The entire hardware is to be correctly inventoried and that inventory list is to be maintained. The Deputy Registrar-IT's nominee will then use such means as are possible and available to him to gain access to that system including deploying such software as necessary to bypass the password lock. The court officers may deploy a brute-force password decoder/decrypter or access the hard drive at root level if possible.

4. I expect a compliance report on this by 30th September 2016.

(G. S. PATEL, J.)