

GAHC010069462004



**THE GAUHATI HIGH COURT**  
**(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)**

**Case No. : Co.Pet./16/2004**

ART PRINTING HOUSE  
CARRIED ON A PARTNERSHIP FIRM STYLO GRAPHICS PVT. LTD., HAVING  
ITS REGISTERED OFFICE AT 43, EUROPEAN ASYLUM LANE, KOLKATA  
700016, REPRESENTED BY SRI MANOHARLAL JAIN  
CHAIRMAN/DIRECTOR

VERSUS

NATIONAL PLYWOOD INDUSTRIES LIMITED  
A COMPANY WITHIN THE MEANING OF COMPANIES ACT, 1956, HAVING  
ITS REGISTERED OFFICE AT MAKUM ROAD, TINSUKIA 786125 (ASSAM)  
WITHIN THE JURISDICTION OF THIS HONOURABLE COURT.

Advocate for the Petitioner(s) : Ms. K. Yadav

Advocate for the respondent(s): None appears

**BEFORE**  
**HONOURABLE MR. JUSTICE DEVASHIS BARUAH**

**ORDER**

**Date : 07.08.2024**

This is an application under Section 433(e) read with Sections 434 and 439 of the Companies Act, 1956 seeking winding up of the respondent Company.

2. This Court had issued notice on 22.12.2004. However there is nothing on record which shows that the notice was served upon the respondent. After 18 years, the instant

matter has been listed before this Court.

3. Ms. K. Yadav, the learned counsel appearing on behalf of the petitioner submits that for the last 18 years, the petitioner has not contacted her. This Court also takes notes of the notice under Section 434 of the Companies Act, 1956 which was made the basis on which the instant proceedings for winding up was instituted. A perusal of the said notice itself shows that the amount to be payable to the petitioner on 31.03.2001 was Rs. 2,22,707/-. There is no quarrel with the proposition that the Limitation Act, 1963 duly applies. It is further seen that on 03.12.2004, the instant proceedings was filed which therefore shows that the instant application was barred by the limitation.

4. Accordingly, this Court finds no ground for further continuation of this instant proceedings, and therefore, the company petition stands dismissed.

**JUDGE**

**Comparing Assistant**