



CNR: KAHC010512662019

NC: 2026:KHC:51387
WP No. 278 of 2020

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 19TH DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

WRIT PETITION NO.278 OF 2020 (GM-CPC)

BETWEEN:

1. M/S.BAL PHARMA LIMITED
A COMPANY INCORPORATED UNDER THE
INDIAN COMPANIES ACT, 1956
HAVING ITS REGISTERED OFFICE AND FACTORY
AT 21 AND 22, BOMMASANDRA INDUSTRIAL AREA
BANGALORE - 560 099 AND

CORPORATE OFFICE AT:
5TH FLOOR, LAXMI NARAYAN COMPLEX
NO.10/1, PALACE ROAD
BANGALORE - 560 052

REPRESENTED BY ITS MANAGING DIRECTOR
MR.SHAILESH DEERAJMAL SIROYA
AGED ABOUT 53 YEARS
S/O SRI.D.B.SIROYA

...PETITIONER

(BY SRI. D PRABHAKAR, ADVOCATE)

AND:

M/S.IMPEL CHEMICALS PVT LTD
A COMPANY INCORPORATED UNDER THE
INDIAN COMPANIES ACT, 1956
HAVING ITS REGD. OFFICE AT
925, D-1, PRASAD, F.C. ROAD

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SHIVAJINAGAR, PUNE - 411 004
THROUGH ITS AUTHORISED SIGNATORY/
MANAGING DIRECTOR
MR.SHRIKANT VISHWANATH BIBIKAR

...RESPONDENT

THIS WRIT PETITION IS FILED UNDER ARTICLE 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE ORDER DATED 20.08.2019 PASSED BY THE HONBLE XVII ADDL. CITY CIVIL AND SESSIONS JUDGE, BANGALORE, IN EXECUTION PETITION NO.140/2015 ON I.A.NO.2 FILED U/SEC.151 CPC VIDE ANNEXURE-A AND ETC.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

ORAL ORDER

The captioned writ petition is filed by the Judgment Debtor, calling in question the proceedings pending in execution of the decree passed in a summary suit.

2. The principal contention of the learned counsel appearing for the Judgment Debtor is that the respondent-Decree Holder Company ceased to exist with effect from 31.03.2007 pursuant to the notice issued by

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the Registrar of Companies in exercise of the powers under Section 248(4) of the Companies Act, 2013, and its name having been struck off from the Register of Companies, it has lost its locus to seek enforcement of the decree and recover the decretal amount.

3. *Per-contra*, learned counsel appearing for the Decree Holder would contend that the mere striking off of the name of the Company from the Register of Companies does not extinguish the debts and monies due to the Company from third parties. Placing reliance on Sections 248 and 250 of the Companies Act, 2013, it is contended that the Company continues to retain the right to recover the amounts due to it, notwithstanding its dissolution in terms of Section 248 of the Companies Act.

4. The Executing Court, having considered the rival contentions, has adverted to the statutory scheme under Sections 248 and 250 of the Companies Act, 2013, and has held that the debts and monies due to the Company



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from third parties are not extinguished merely on account of the striking off of its name from the Register of Companies. Consequently, the application filed by the Judgment Debtor has been rejected.

5. Having examined the order under challenge and the contentions urged by the learned counsel for the parties, this Court finds no infirmity in the approach adopted by the learned Executing Court. The Executing Court has rightly considered the effect of Section 250 of the Companies Act, 2013, and has concluded that the striking off of the name of the Company does not, by itself, extinguish its entitlement to recover the debts and monies due to it from third parties. The decree, therefore, cannot be rendered inexecutable merely on the ground urged by the Judgment Debtor.

6. No illegality or jurisdictional error is found in the order impugned warranting interference in exercise of the writ jurisdiction of this Court.



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Accordingly, the writ petition, being devoid of merit,
stands ***dismissed.***

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**(SACHIN SHANKAR MAGADUM)
JUDGE**

NBM
List No.: 1 SI No.: 11