

HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

COMPANY APPLICATION No.1379 of 2014

In

COMPANY PETITION No.169 of 2009

and

COMPANY APPLICATION No.1380 of 2014

In

COMPANY PETITION No.183 of 2009

Date:20.01.2015

Between:

M/s Zen Securities Limited, Hyderabad,
reptd by its Director-R.Ch.Satyanarayana

..... Applicant

And:

M/s Twin Cities Permanent Fund,
Hyderabad, reptd by its Directors and 10 others.

...Respondents

Counsel for the Applicants: Sri Satish Kumar Kuna

Counsel for the Respondent No.2: Sri M.Anil Kumar

The Court made the following:

COMMON ORDER:

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The applicant in both these Company Applications is common. It is a third party to the Company Petitions filed against respondent No.1-Compnay. The case of the

applicant is that it has taken on lease a portion of the ground floor in the premises bearing No.1-3-183/40/24 situated at Street No.13, SRBI Staff Colony, New Bakaram, Gandhinagar, Hyderabad under lease agreement, dated 31.12.2011, entered with the landlady by name Smt Janaki Subramanyam; that the term of the lease is two years; that one P.S.Prasad, one of the Directors of respondent No.1-Company, was a franchisee of the applicant from 2005 to 2010; and that having regard to the said acquaintance, the applicant has permitted respondent No.1 to use one of the rooms forming part of the demised premises for the purpose of storing its books and furniture. The applicant further pleaded that by order, dated 12.12.2011, this Court has ordered winding up of respondent No.1-Company and appointed respondent No.2 as the Liquidator and that as the lease expired in December, 2013, the room in possession of the Liquidator is liable to be handed over to the landlady. The applicant has, therefore, filed these two Company Applications for a direction to respondent No.2 to handover the possession of the room to the applicant to enable it to hand it over to the landlady.

Respondent No.2 has filed a report, dated 09.01.2015, wherein he has admitted the facts pleaded by the applicant. He has also stated that as the lease expired on 31.12.2013, the books and records of respondent No.1 were shifted from the demised premises to the record room of respondent No.2 and that the movables of respondent No.1 were sold and delivered to the purchasers. Respondent No.2 has, accordingly, conveyed his no objection to handover the vacant possession of the room to the applicant.

In the light of the facts pleaded by the applicant and the report of respondent No.2, the Company Applications

are allowed and respondent No.2 is directed to handover the possession of the room of the demised premises to the applicant.

JUSTICE C.V. NAGARJUNA REDDY

20th January 2015

DR