

The Hon'ble Sri Justice C.V.Nagarjuna Reddy

Company Application No.69 of 2015
in/& Company Petition No.148 of 2014

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Dated 03.02.2015
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Between:

M/s.Prakash Glass & Rubber Works
Hyderabad, rep. by its Managing Director
Mr.Kapil Gupta

...Petitioner

and

M/s.Continental Hospitals Limited,
Hyderabad, rep. by its Managing Director

...Respondent

**Counsel for the Petitioner: Mr.D.Raghavender
Rao**

**for Mr.D.Madhava
Rao**

Counsel for the respondent: Mr.D.Arun Teja

The Court made the following:

Common Order:

This Company Petition is filed for an order to wind up the respondent- Company for non-payment of the debt due to the petitioner.

By Order, dated 17-12-2014, this Court has admitted the Company Petition and deferred the

publication of notification. Thereafter, the petitioner has filed Company Application No.69 of 2015 under Rule 100 of the Companies (Court) Rules, 1959, to grant leave for withdrawal of the Company Petition. In the affidavit filed in support of the said application, the deponent has stated that after the admission of the Company Petition, an understanding was reached between the parties, in pursuance of which, part payments have been made and that therefore, without prejudice to the right of the petitioner to seek recovery of additional monies/interest from the respondent through initiation of civil proceedings, the petitioner may be permitted to withdraw the Company Petition.

In the light of the averments contained in the above-mentioned affidavit, Company Application No.69 of 2015 is allowed and Company Petition No.148 of 2014 is dismissed as withdrawn with liberty to the petitioner in terms of the prayer made.

As a sequel to dismissal of the Company Petition, Company Application No.800 of 2014, filed by the petitioner for interim relief, is dismissed as infructuous.

(C.V.Nagarjuna Reddy, J)

Dt: 3rd February, 2015
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