

HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY
COMPANY PETITION No.196 of 2014

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Date:17.8.2015

Between:

M/s Interface Europe Limited,
United Kingdom, repled., by its
Authorised Signatory-D.Venkata Narayana

.....Petitioner

And:

M/s Kaypee Interior Projects Private Limited,
Hyderabad, repled., by its Chairman/Managing
Director-Kalpesh Ranjitsinh Parmar.

.....Respondent

Counsel for the petitioner: Sri C.Tulasi Krishna
For Sri A.Venkatesh

Counsel for the respondent: None appeared

The Court made the following:

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ORDER:

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

This Court by order, dated 24.3.2015, has admitted the Company Petition and directed publication of advertisement. The petitioner has filed Company Application No.991 of 2015 for extension of time for publication. By order, dated 08.6.2015, time for

publication was extended till 30.6.2015. The petitioner has again filed Company Application No.1083 of 2015 seeking further extension of time for publication. This Court by order, dated 13.7.2015, has further extended time for publication till 31.7.2015. On 03.8.2015, Sri C.Tulasi Krishna, learned counsel for the petitioner, submitted that as per the information gathered by his client, the respondent is not carrying on any business and that as, pursuing this Company Petition further is a futile exercise, the petitioner seeks to file an application under Rule-100 of the Companies (Court) Rules, 1959 for withdrawal of the Company Petition. He has, therefore, requested for an adjournment. Accordingly, accepting the said request, this Court has adjourned the case to today.

At the hearing, Sri C.Tulasi Krishna, learned counsel for the petitioner, sought further time for filing an application for withdrawal of the Company Petition.

From the facts noted above, it is clear that the petitioner is unable to carry out publication of advertisement, despite extension of time for publication twice and has also failed to file an application for withdraw of the Company Petition.

In the light of these facts, I am not inclined to adjourn the case further and instead, the order, dated 24.3.2015, admitting the Company Petition is recalled and the Company Petition is dismissed for non-compliance with the requirement of publication of advertisement.

As a sequel to dismissal of the Company Petition, Company Application Nos.1122 and 1123 of 2014 are dismissed as infructuous.

*JUSTICE C.V.NAGARJUNA
REDDY*

17th August, 2015
DR