

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

Company Petition No.10 of 2015

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Dated 09.03.2015
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Between:

M/s.Agrawal Coal Corporation Private Ltd.,
Madha Pradesh rep. by its authorized signatory
Mr.B.N.Tiwari

...Petitioner

and

M/s.NCS.Sugars Limited
Hyderabad
rep. by its Chairman

...Respondent

Counsel for the Petitioner: Mr.G.Rama Gopal

Counsel for the respondent: Mr.V.S.Raju

The Court made the following:

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.

The respondent has filed Memo, dated 27.02.2015, wherein it is stated that a reference under Section 15(1) of the Sick Industrial

Companies (Special Provisions) Act, 1985, was made by it before the BIFR; that the same is registered as Case No.73/2014; and that the same is pending.

Mr.G.Rama Gopal, learned Counsel for the petitioner, while admitting the aforesaid fact, submitted that his client may be permitted to seek restoration of the Company Petition subject to the result of the proceedings before the BIFR.

In the light of the above facts, this Company Petition is closed with liberty to the petitioner in terms of the prayer made.

As a sequel to closure of the Company Petition, Company Application No.43 of 2015, filed by the petitioner for interim relief, is disposed of as infructuous.

(C.V.Nagarjuna Reddy, J)

Dt: 9th March, 2015
LUR