

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CP No. 20 of 2011 (O&M)

Date of decision : 8.9.2015

LamiGraf SA

.. Petitioner

vs

M/s Nova Lamiboards Private Limited

.. Respondent

Coram: Hon'ble Mr. Justice Rajesh Bindal

Present: Mr. Kanwalvir Singh Kang, Advocate, for the petitioner.

Rajesh Bindal, J.

The present petition has been filed by the petitioner-Company under Sections 433 (e), (f) and 434 of the Companies Act, 1956 for winding up of the respondent-Company on the premise that it has failed to pay Euro 55,591.16 on account of supply of different kinds of Base papers for waxing, coating and impregnation. The petition was directed to be admitted vide order dated 12.9.2012. The citation was published in the newspapers and the official gazette of UT Chandigarh. The matter remained pending as the respondent company was trying to settle the dispute with the petitioner. However, there was no result as despite publication of notice regarding admission of the petition in the newspapers as well as in the official gazette, the respondent company has still not settled the dispute or cleared the debt.

Learned counsel for the petitioner company submitted that since the respondent company is not in a position to discharge the admitted liability of the petitioner company, the order of winding up of the respondent company deserves to be passed.

Today no one has appeared for the respondent company.

Heard learned counsel for the petitioner company.

As the respondent company was not in a position to discharge its admitted liability, vide order dated 12.9.2012, the petition was admitted. No purpose would be served by keeping the matter pending and therefore, in view liability being not disputed, the company is ordered to be wound up and the Official Liquidator is appointed as Liquidator of the company. He

is directed to take over the charge of the movable, immovable assets and records of the respondent company.

Let the factum of winding up of the respondent company be published in the newspapers namely 'Indian Express' (English) and 'Dainik Tribune' (Hindi) and in the Official Gazette of Chandigarh Administration.

The petition stands disposed of.

8.9.2015

vs

(Rajesh Bindal)

Judge