

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

**Company Petition No. 219 of 2003 (O&M)
Date of Decision 9.10.2015**

M/s Incowax Pvt. Ltd.

.. Petitioner

Vs.

M/s Super Poly Fabriks

.. Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL

Present: Mr. B.B.S. Randhawa, Advocate for the petitioner.
Ms. Pallavi Singh, Advocate for
Mr. Sunil Chadha, Sr. Advocate for the respondent.

...

Rajesh Bindal J.

Affidavit of Sunil Bajaj, Director of the respondent-company dated 8.12.2014 filed in the Court and is taken on record. It has been stated therein that Reference No.45 of 2005 of the respondent-company is still pending before the BIFR.

As because of pendency of proceedings before the BIFR, in terms of the provisions of Section 22 of the Sick Industrial Companies (Special Provisions) Act, 1985, the proceedings cannot continue, the present petition is disposed of at this stage with liberty to the petitioner to get the same revived in case the respondent-company comes out of the BIFR and the claim of the petitioner is not settled.

October 09, 2015
jasmine

**(RAJESH BINDAL)
JUDGE**