

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 28.09.2016

Coram

The Honourable Mr.Justice RAJIV SHAKDHER

C.P.No.100 of 2011

B.I.F.R., New Delhi,
Rep. by its Registrar

.

... Petitioner

VS

1.The Managing Director,
M/s. Nova Dyeing & Printing Mills Ltd.,
No.36, Nelson Manickam Road,
Aminjikarai, Chennai-600 029.

2. The Additional Secretary,
Dept. of Industries,
Govt. of Tamil Nadu,
Chennai.

3. The Chairman & M.D.,
State Bank of India,
Central Office,
Madam Cama Road, Mumbai.

4. The President/Secretary,
Thamizhaga Panjhalai,
Thozhilalar Sangam (BMS),
Viswakarma Mazdoor Bhawan,
231, Sathy Road,
Ganapathy, Coimbatore 641 006.

5.The Assistant Director,
Regional Office,
ESIC, Rajendra Bhawan,

Rajendra Play, New Delhi- 110018.

6. The Central Provident Fund,
Commissioner,
HUDCO, Vishala,
14, Bhikaji Cama Place.
R.K.Puram, New Delhi- 110 066.

7. Dy.General Manager,
Rehabilitation & Recovery Branch,
State Bank of India,
103-A, Anna Salai (5th Floor),
Chennai-600 002.

... Respondents

Petition filed under Section 20(1) of Sick Industrial Companies (Special Provisions) Act, 1985 for winding up of the respondent company.

For Petitioner	: No appearance
For R1	: Mr.P.Subba Reddy
For R3	: Mr.Ilayaraja for Mr.Ramalingam

ORDER

Mr.Ilayaraja, the learned counsel, who appears for 3rd respondent i.e, State Bank of India has placed before me, a memo which is indicative of the fact that this petition does not survive any longer.

1.1. The memo states that the aforementioned company petition came to be registered on account of the recommendation of the BIFR to wind up M/s. Nova Dyeing & Printing Mills Ltd.,

1.2. This recommendation was made by the BIFR vide order dated 01.11.2010.

1.3. Against this order, the company preferred an appeal with the

AAIFR.

1.4. The appeal was registered as Appeal.No. 18 of 2011.

2. The AAIFR vide order dated 28.6.2011 allowed the appeal and set aside the order of the BIFR dated 01.11.2010.

2.1. Apparently, the matter was remanded to the BIFR by AAIFR. The BIFR, on remand, passed the order, dated 10.11.2014, wherein, it is held that the company was no longer a Sick Industrial Company, within the meaning of section 3(1)(o) of the SICA as its networth had turned positive.

3. In these circumstances, as indicated above, this petition no longer survives. Accordingly, it is closed.

28.09.2016

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RAJIV SHAKDHER,J.

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