

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 30.11.2016

Coram

**THE HONOURABLE MR. JUSTICE RAJIV SHAKDHER**

Company Petition No.288 of 2010  
and Comp.A.No.518 of 2012

Roop Krishen Karihaloo @  
Roop Karihaloo  
represented by Power Agent,  
Kavita Thomas  
E-33, 1<sup>st</sup> Street, Anna Nagar,  
Chennai - 600 102.

.. Petitioner

v.

M/s.Refex Energy Private Limited,  
Rep. By its Managing Director,  
No.67, Bazullah Road, T.Nagar,  
Chennai - 600 017.

.. Respondent

Petition filed under Section 433 (e) and (f) read with Section 434 (1) (a) and 439 (1) (b) of the Companies Act, 1956 to order winding up of M/s.Refex Energy Private Limited and cost of the petition to be paid out of the funds of the respondent.

For Petitioner : No Appearance

For Respondent : No Appearance

Official Liquidator : Mr.Atchuta Ramaiyah

**ORDER**

1. I have perused the order passed by this Court, in the captioned application being: Comp.A.No.518 of 2012 on 13.07.2012.

1.1. A perusal of the order would show that, the petitioning creditor has received a sum of Rs.27,28,890/- towards the principal amount claimed in the captioned company petition.

1.2. This Court had left the claim made by the petitioning creditor in respect of further amounts on account of the fluctuation in exchange rate to be adjudicated by way of a separate proceedings.

2. The Official Liquidator (OL) also affirms that he has received moneys towards liquidation/administration, expenses incurred by him, which were quantified at Rs.9,000/- (Rupees Nine Thousand only)

2.1. Furthermore, the respondent company (i.e. Applicant in Comp.A.No.518 of 2012) appears to have paid a sum of Rs.10,000/- to the petitioning creditor. A fact, which is recorded in the order dated 18.07.2012.

3. There is no representation either on behalf of the applicant/original respondent company or the petitioning creditor.

4. The OL is present in the Court. He affirms the aforesaid position.

5. Accordingly, C.P.No.288 of 2010 and Comp.A.No.518 of 2012 are closed.

6. The Registry will despatch the copy of this order, without insistence on process fee to the petitioning creditor as well as the original respondent company, at the address available on record.

30.11.2016

vsm

RAJIV SHAKDHER, J.

vsm

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