

I N THE HI GH COURT OF PUNJAB AND HARYANA AT
CHANDI GARH

CAPP- 22- 2016 (O&M)
Dat e of deci si on: - 27. 09. 2016

JTG Al loys Pvt . Lt d. and ot her s
Ver sus
Ms Kot ak Mahi ndra Bank
... Appel l ant s
... Respondent

CORAM HON BLE MR. JUSTI CE S. J. VAZI FDAR, CHI EF JUSTI CE
HON BLE MR. JUSTI CE DEEPAK SI BAL

Present : - Mr. Tri bhawan Si ngl a, Advocat e,
for the appel l ant s.

Mr. A D. S. Sukhi j a, Advocat e,
for the respondent .
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S. J. VAZI FDAR, C. J. (ORAL)

This is an appeal against the order of the learned
Company Judge dated 19.02.2016 winding up the
appel l ant - company.
2. The parties state that they are negotiating a settlement.
However, the company petition having been first admitted and the
company thereafter having been wound up by the impugned order, a
settlement between the original petitioning creditor and the company
cannot annul these orders. It would be necessary for the appellant
to adopt the proceedings before the learned Company Judge himself
for the purpose of taking the company out of liquidation.
3. The appeal is accordi ngly disposed of .

(S. J. VAZI FDAR)
CHI EF JUSTI CE

(DEEPAK SI BAL)
JUDGE

27. 09. 2016
Amodh

Whether speaking/reasoned	Yes/ No
Whether reportable	Yes/ No