

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

Sr. No.203

CAPP No.5 of 2016 (O&M)

Date of decision: 27.09.2016

M/s Sahai Executive Contracts Pvt. Ltd.

....Appellant

versus

M/s HUAWEI Telecommunication (India) Company Pvt. Ltd.

....Respondent

**CORAM: HON'BLE MR. JUSTICE S.J. VAZIFDAR, CHIEF JUSTICE
HON'BLE MR. JUSTICE DEEPAK SIBAL**

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Present:- Mr. Anil Rana, Advocate
for the appellant.

Mr. Anand Chhibbar, Senior Advocate with
Mr. Shaurya Sharma, Advocate
for the respondent.

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S.J. VAZIFDAR, CHIEF JUSTICE (ORAL)

This is an appeal filed by the petitioning creditor against the order of the learned Company Judge. The appeal is misconceived and not maintainable. By the impugned order, the learned Judge had admitted the company petition that the petitioning creditor had filed. The appellant claims that the learned Company Judge should have awarded interest on the amount due to the appellant. The present appeal for the above claim after the petition of the appellant for winding up the respondent-Company has been admitted, does not lie.

2. The appeal is, therefore, dismissed.

3. The other contentions of the appellant, however, will be considered in the appeal filed by the company against the same order being CAPP No.3 of 2016.

(S.J. VAZIFDAR)
CHIEF JUSTICE

(DEEPAK SIBAL)
JUDGE

September 27, 2016
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(i)	Whether speaking/reasoned	Yes/No
(ii)	Whether reportable	Yes/No