

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

**CP No.57 of 2016 (O&M)
Date of Decision:29.04.2016**

PRAJ Hipurity Systems Ltd.	Petitioner
Vs.	
Ind-Swift Limited	Respondent

CORAM:- HON'BLE MR. JUSTICE RAKESH KUMAR JAIN

Present:- Mr. Aalok Jagga, Advocate for the petitioner.

RAKESH KUMAR JAIN, J.(Oral)

Notice.

At this stage, Mr. Gaurav Mankotia, Advocate accepted notice on behalf of the respondent- Company and has brought to the notice of the Court about the order passed in CP No.156 of 2015 on 10.2.2016 which is reproduced as under:-

“Vide CA No.16 of 2016, the respondent- Company has placed on record a communication from the Board for Industrial and Financial Reconstruction (for short, `the BIFR') to the respondent- Company, stating that the reference filed by the respondent- Company has been registered as Case No.103 of 2015.

In view of the aforesaid development and the fact that in terms of Section 22 of the Sick Industrial Companies (Special Provisions) Act, 1985, the proceedings against the respondent- Company cannot continue, the petition is disposed of at this stage with liberty to the petitioner to get the same revived in case after the proceedings before the BIFR are concluded, the claim of the petitioner is not settled.”

In view of the fact that the respondent- Company is in BIFR,
the present petition is disposed of in the terms of the aforesaid order.

April 29, 2016
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(RAKESH KUMAR JAIN)
JUDGE