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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CO.PET. 224/2016**

GOPAL SITARAM JIWARAJKA Petitioner

Through: Mr. Ajay Malviya, Advocate

versus

ASSOTECH LTD Respondent

Through

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

% **15.03.2016**

CA 936/2016 (Exemption)

Allowed subject to just exceptions.

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The petitioner via this petition raises a claim against the respondent in the sum of Rs.6,57,43,780/- alongwith interest at the rate of 24% p.a. The petitioner, it appears, issued a demand notice dated 08.12.2015 for this purpose which, counsel for the petitioner says was not replied to.

The claim pivots on a post dated cheque bearing no.039060, dated 03.06.2015, issued for the aforementioned amount (i.e. Rs.6,57,43,780/-), which was, drawn on Corporation Bank, Noida Branch.

This cheque was dishonoured and hence, the petitioner,

proceeded to issue a demand notice dated 08.12.2015, to which, I have made a reference above.

The learned counsel for the petitioner informs me that this court vide order dated 08.02.2016 has already admitted CP 357/2015 and appointed the official liquidator attached to this court as the provisional liquidator.

In these circumstances, the learned counsel for the petitioner says that he will join the winding up process and prefer his claim before the official liquidator.

The petition is disposed of, giving liberty to the petitioner to prefer his claim before the O.L. In case for some reason, order dated 08.02.2016, passed in CP 357/2015, and other connected company petitions, is recalled, the petitioner, will have liberty to revive the captioned petition. It is ordered accordingly.

RAJIV SHAKDHER, J

MARCH 15, 2016

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