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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CO.APP. 75/2013**

M/S STI MARKETING PVT. LTD. Appellant

Through: Mr Rakesh Mishra and Mr S.P. Sinha,
Advs.

versus

M/S KOTAK MAHINDRA BANK LTD. & ANR

..... Respondent

Through: Mr P.D. Tewari, Adv. for Official
Liquidator

CORAM:

HON'BLE MR. JUSTICE S. RAVINDRA BHAT

HON'BLE MS. JUSTICE DEEPA SHARMA

ORDER

% **04.03.2016**

A professional liquidator was appointed on 15.01.2013 in a company winding up proceedings (CP 62/2012) filed by M/s Kotak Mahindra Bank Ltd. The appellant moved an application CA No.710/2013 stating that the winding up proceeding was not maintainable since no notice under Section 434(1)(a) was served upon it. That application was dismissed on 30.07.2013.

This Court is of the opinion that there is no infirmity in the impugned order dated 30.07.2013 as it has merely dismissed an application seeking recall of the earlier order. The said earlier order dated 15.01.2013 appointing a provisional liquidator has never been challenged in appeal and has attained finality. Furthermore the

winding up proceedings have been apparently admitted. In these circumstances, the present appeal is not maintainable and the same is accordingly dismissed.

S. RAVINDRA BHAT, J

DEEPA SHARMA, J

MARCH 04, 2016
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