

\$~10, 13, 14, 15, 17, 21, 27, 31, 34, 35, 36, 37, 46, 50, 61, 63, 68, 69

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

+ CO.PET. 601/2013

M/S INTERCONTINENTAL CONSULTANT & TECHNOCRATS
PVT LTD Petitioner

Through Mr. Anish Dayal and Sidharth Vaid, Advocates.

versus

M/S VIGNESHWARA DEVELOPERS PVT LTD Respondent

Through Mr. Rohit Khurana, Proxy counsel for Mr. R.
Tandon, Advocate.
Mr. Kanwal Choudhary, Advocate for O. L.

+ CO.PET. 760/2014

SH. BHARAT SINGH Petitioner

Through Mr. Hitesh Sachar, Advocate.

versus

M/S VIGNESHWARA DEVELOPERS PVT. LTD. Respondent

Through Mr. Rohit Khurana, Proxy counsel for Mr. R.
Tandon, Advocate.
Mr. Kanwal Choudhary, Advocate for O. L.

+ CO.PET. 793/2014

SMT. RAJWATI & ORS

..... Petitioner

Through Ms. Anju Jain, Advocate.

versus

M/S VIGNESHWARA DEVELOPERS PVT. LTD. & ORS.

..... Respondent

Through Mr. Rohit Khurana, Proxy counsel for Mr. R.
Tandon, Advocate.
Mr. Kanwal Choudhary, Advocate for O. L.

+ CO.PET. 136/2015

TARINI AHLAWAT Petitioner

Through Mr. Hitesh Sachar, Advocate.

versus

VIGNESHWARA DEVELOPERS PVT. LTD & ORS

..... Respondent

Through Mr. Rohit Khurana, Proxy counsel for Mr. R.
Tandon, Advocate.
Mr. Kanwal Choudhary, Advocate for O. L.

+ CO.PET. 198/2015

SHRI SANJEET KUMAR Petitioner

Through Mr. Hitesh Sachar, Advocate.

versus

VIGNESHWARA DEVELOPERS PVT. LTD. & ORS

..... Respondent

Through Mr. Rohit Khurana, Proxy counsel for Mr. R.
Tandon, Advocate.
Mr. Kanwal Choudhary, Advocate for O. L.

+ CO.PET. 257/2015

SHRI GULAB Petitioner

Through Mr. Hitesh Sachar, Advocate.

versus

VIGNESHWARA DEVELOPERS PVT. LTD. & ORS

..... Respondent

Through Mr. Rohit Khurana, Proxy counsel for Mr. R.
Tandon, Advocate.
Mr. Kanwal Choudhary, Advocate for O. L.

+ CO.PET. 307/2015

SHRI RANDHIR SINGH

..... Petitioner

Through Mr. Hitesh Sachar, Advocate.

versus

VIGNESHWARA DEVELOPERS PVT. LTD. & ORS.

..... Respondent

Through Mr. Rohit Khurana, Proxy counsel for Mr. R.
Tandon, Advocate.
Mr. Kanwal Choudhary, Advocate for O. L.

+ CO.PET. 376/2015

MS. SAVITRI AHLAWAT

..... Petitioner

Through Mr. Hitesh Sachar, Advocate.

versus

VIGNESHWARA DEVELOPERS PVT. LTD.& ORS.

..... Respondent

Through Mr. Rohit Khurana, Proxy counsel for Mr. R.
Tandon, Advocate.
Mr. Kanwal Choudhary, Advocate for O. L.

+ CO.PET. 379/2015

MS. DHARAMWATI

..... Petitioner

Through Mr. Hitesh Sachar, Advocate.

versus

VIGNESHWARA DEVELOPERS PVT.LTD. & ORS

..... Respondent

Through Mr. Rohit Khurana, Proxy counsel for Mr. R.
Tandon, Advocate.
Mr. Kanwal Choudhary, Advocate for O. L.

+ CO.PET. 388/2015

SHRI. VISHAL G. VERMA

..... Petitioner

Through Mr. Hitesh Sachar, Advocate.

versus

VIGNESHWARA DEVELOPERS PVT.LTD.& ORS.

..... Respondent

Through Mr. Rohit Khurana, Proxy counsel for Mr. R.
Tandon, Advocate.
Mr. Kanwal Choudhary, Advocate for O. L.

+ CO.PET. 389/2015

SHRI PABITRA KUMAR TALUKDAR

..... Petitioner

Through Mr. Hitesh Sachar, Advocate.

versus

VIGNESHWARA DEVELOPERS PVT. LTD.& ORS

..... Respondent

Through Mr. Rohit Khurana, Proxy counsel for Mr. R.
Tandon, Advocate.
Mr. Kanwal Choudhary, Advocate for O. L.

+ CO.PET. 390/2015

SHRI RANBIR SINGH Petitioner

Through Mr. Hitesh Sachar, Advocate.

versus

VIGNESHWARA DEVELOPERS PVT. LTD. & ORS.

..... Respondent

Through Mr. Rohit Khurana, Proxy counsel for Mr. R.
Tandon, Advocate.
Mr. Kanwal Choudhary, Advocate for O. L.

+ CO.PET. 412/2015

SHRI SATISH KUMAR Petitioner

Through Mr. Hitesh Sachar, Advocate.

versus

VIGNESHWARA DEVELOPERS PVT. LTD. & ORS.

..... Respondent

Through Mr. Rohit Khurana, Proxy counsel for Mr. R.
Tandon, Advocate.
Mr. Kanwal Choudhary, Advocate for O. L.

+ CO.PET. 431/2015

MR. MAHABIR Petitioner

Through Mr. Hitesh Sachar, Advocate.

versus

VIGNESHWARA DEVELOPERS PVT. LTD. & ORS.

..... Respondent

Through Mr. Rohit Khurana, Proxy counsel for Mr. R.

Tandon, Advocate.
Mr. Kanwal Choudhary, Advocate for O. L.

+ CO.PET. 506/2015

MRS. URMILA YADAV & ORS. Petitioners

Through Mr. Hitesh Sachar, Advocate.

versus

VIGNESHWARA DEVELOPERS PVT. LTD. & ORS.

.... Respondent

Through Mr. Rohit Khurana, Proxy counsel for Mr. R.
Tandon, Advocate.
Mr. Kanwal Choudhary, Advocate for O. L.

+ CO.PET. 555/2015

MALTI BHATNAGAR Petitioner

Through Mr. Hitesh Sachar, Advocate.

versus

VIGNESHWARA DEVELOPERS PVT. LTD. & ORS.

.... Respondent

Through Mr. Rohit Khurana, Proxy counsel for Mr. R.
Tandon, Advocate.
Mr. Kanwal Choudhary, Advocate for O. L.

+ CO.PET. 903/2015

ARUN SINGH Petitioner

Through Mr. R. K. Choudhary, Advocate.

versus

VIGNESHWARA DEVELOPERS PVT. LTD.

..... Respondent

Through Mr. Rohit Khurana, Proxy counsel for Mr. R.
Tandon, Advocate.
Mr. Kanwal Choudhary, Advocate for O. L.

+ CO.PET. 907/2015

ARUN SINGH [HUF] Petitioner

Through Mr. R. K. Choudhary, Advocate.

versus

VIGNESHWARA DEVELOPERS PRIVATE LIMITED

..... Respondent

Through Mr. Rohit Khurana, Proxy counsel for Mr. R.
Tandon, Advocate.
Mr. Kanwal Choudhary, Advocate for O. L.

CORAM:

HON'BLE MR. JUSTICE SUDERSHAN KUMAR MISRA

ORDER

% **22.07.2016**

All these petition seeking winding up of the respondent, VIGNESHWARA DEVELOPERS PRIVATE LIMITED, are, inter alia, predicated on the alleged non-payment of various sums of money, which according to the petitioners, have remained unpaid despite service of notice of winding up on the registered office of the respondent company; and to which, no reply has been given by the respondent.

Counsel for the Official Liquidator, who is present in Court, points out that in another Co.Pet. No.534/2015, titled SH. NARESH CHAND GUPTA & ANR. v. VIGNESHWARA DEVELOPERS PVT. LTD., also

seeking winding up of the respondent company, the Official Liquidator attached to this Court has been appointed as the Provisional Liquidator of the company.

Under the circumstances, no further orders are required to be passed in these matters.

Counsel for the petitioners seek to withdraw their respective petitions and to file an appropriate claim before the Official Liquidator as and when such claims are invited. They are permitted to do so.

At the same time, it would be open to the petitioners to take recourse to Rule 101 of the Companies (Court) Rules, 1959 in case they are so advised. It would also be open to the petitioners to intimate the Official Liquidator about the relevant particulars of the petitioners' dues from the respondent company in each of the matters with a view to assisting the Official Liquidator in finalizing the statement of affairs of the company in liquidation and carrying out his duties; whilst making it clear that any such information to the Official Liquidator by the petitioners in these matters would not *ipso facto* amount to the institution of any claim before the Official Liquidator, and it can only be filed in accordance with the relevant Rules and at the appropriate stage.

All the petitions, along with interim applications, stand disposed off.

SUDERSHAN KUMAR MISRA, J

JULY 22, 2016
dr