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

+ **CO.PET. 649/2014 & CA No.2422/2014**

ANOOP SHANKAR MADAN Petitioner

Through: Mr.Sayed Aquib Ali and Mr.Manik,
Advocates.

Versus

A. N. BUILDWELL PRIVATE LIMITED Respondent

Through: Mr.B.S.Banthia and Mr.Sanjay
Rawat, Advocates.

+ **CO.PET. 782/2015**

MS. KOMAL PASSI & ANR. Petitioners

Through: Mr. Sanjeev Kumar Tyagi, Advocate.

Versus

A. N. BUILDWELL PRIVATE LIMITED Respondent

Through: Mr.B.S.Banthia and Mr.Sanjay
Rawat, Advocates.

+ **CO.PET. 866/2015 & CA No.3446/2015**

B.L.GUPTA CONSTRUCTION (P) LTD.

..... Petitioner

Through: Mr.Jeevesh Nagrath, Mr.Shobit
Phutela, Ms. Monica Chug
Manchanda and Mr.Chetan Gautam,
Advocates.

Versus

A. N. BUILDWELL PRIVATE LIMITED Respondent

Through: Mr.B.S.Banthia and Mr.Sanjay
Rawat, Advocates.

+ **CO.PET. 217/2016 & CA Nos.918-19/2016**

SCHNEIDER ELECTRIC INDIA PVT. LTD., Petitioner
Through: Mr.Manish K. Srivastava and
Ms.Sanjana Saddy, Advocates.

Versus

A. N. BUILDWELL PRIVATE LIMITED Respondent
Through: Mr.B.S.Banthia and Mr.Sanjay
Rawat, Advocates.

+ **CO.PET. 288/2016 & CA Nos.1247-48 & 1254 of 2016**

AHLCONS INDIA PVT. LTD. Petitioner
Through: Mr.Shashank Garg and Mr.Tariq
Khan, Advocates.

Versus

A. N. BUILDWELL PRIVATE LIMITED Respondent
Through: Mr.B.S.Banthia and Mr.Sanjay
Rawat, Advocates.

+ **CO.PET. 316/2016 & CA Nos.1378-79/2016**

KUSUM LATA SINGHAL & ANR. Petitioners
Through: Mr.Manish Misra, Advocate.

Versus

A. N. BUILDWELL PRIVATE LIMITED Respondent
Through: Mr.B.S.Banthia and Mr.Sanjay
Rawat, Advocates.

+ **CO.PET. 411/2016 & CA Nos.1767 & 1769 of 2016**

ROHIT MADAN Petitioner
Through: Mr.Akash Vajpai, Advocate.

Versus

A. N. BUILDWELL PRIVATE LIMITED Respondent
Through: Mr.B.S.Banthia and Mr.Sanjay
Rawat, Advocates.

CORAM:
HON'BLE MR. JUSTICE SUDERSHAN KUMAR MISRA
ORDER
% **29.07.2016**

These petitions that have been moved under Sections 433 and 434 (1) (a) of the Companies Act, 1956, seeking winding up of the respondent-company/ A.N. Buildwell Pvt. Ltd. are, *inter alia*, predicated on the alleged non-payment of various sums of money which include principal amounts stated to have been paid by the petitioners as well as assured returns in terms of contracts stated to have been concluded by the company with the petitioners, *inter alia*, assuring them monthly payment at separate rates.

Counsel for the Official Liquidator points out that on 08.03.2016 in CO. PET. No.704/2014 filed by Mr. Amarpreet Singh Oberoi and Others seeking winding up of the respondent company, the Official Liquidator attached to this Court has been appointed as Provisional Liquidator of the company.

Under the circumstances, no further orders are required to be passed in this matter.

Counsel for the petitioners also seek to withdraw these petitions and to file appropriate claims before the Official Liquidator as and when such claims are invited.

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 company with a view to assisting the Official Liquidator in finalizing the Statement of Affairs of the Company; and in carrying out his duties, while making it clear that any such information to the Official Liquidator by the petitioners would not *ipso facto* amount to the institution of any claim before the Official Liquidator, which can only be filed in accordance with the relevant Rules and at the appropriate stage.

These petitions are disposed off accordingly. All pending applications also stand disposed off.

SUDERSHAN KUMAR MISRA, J.

JULY 29, 2016

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