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

+ **CO.PET. 386/2015 & CA No.1635/2015**

ONTIME INTERNATIONAL LOGISTICS PVT LTD. Petitioner

Through: Mr.Naveen Kumar Chauhan,
Advocate.

Versus

SIMMTRONICS SEMICONDUCTORS LTD. Respondent

Through: None.

AND

+ **CO.PET. 108/2016**

TACK INNOVATIONS Petitioner

Through: Mr.Rishi Bhatnagar, Advocate.

Versus

SIMMTRONICS SEMICONDUCTORS LTD. Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE SUDERSHAN KUMAR MISRA

ORDER

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01.08.2016

Both these petitions seeking winding up of the respondent-company/ Simmitronics Semiconductors Ltd. are, *inter alia*, predicated on the alleged non-payment of various sums of money which, according to the petitioner, have remained unpaid, despite service of notice of winding up on the registered office of the respondent company, to which no reply is stated to have been given.

Be that as it may, in another petition titled as, 'DHL Logistics Private Limited Vs. Simmitronics Semiconductors Limited', being Company

Petition No.690/2015 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, and which can only be filed in accordance with the relevant Rules and at the appropriate stage.

Both these petitions are disposed off accordingly. All pending applications also stand disposed off.

SUDERSHAN KUMAR MISRA, J.

AUGUST 01, 2016

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