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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CO.PET. 992/2015 & CA Nos.3920-21/2015

DEEPWELD AGENCIES

..... Petitioner

Through: Mr. A.S. Kushwaha, Advocate.

Versus

ERA INFRA ENGINEERING LTD.

..... Respondent

Through: Mr. Vineet Tayal, Advocate with
Mr.Gaurav Rajoriya, Company
Secretary, Mr. Bharat Chand Yadav,
Deputy Legal Manager, Mr.Amit
Sharma, Legal Officer and Mr. Robin
Chatterjee, Legal Officer in person.

CORAM:

HON'BLE MR. JUSTICE SUDERSHAN KUMAR MISRA

ORDER

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12.07.2016

On 03.02.2016 notice to show cause was issued in the matter alleging that the respondent company had failed to pay the principal amount of Rs.3,42,698/- to the petitioner, despite service of notice of winding up on the registered office of the respondent company.

Today, counsel for the respondent, on instructions from Mr.Gaurav Rajoriya, Company Secretary, states that the respondent is willing to settle the debt of the petitioner in full by paying Rs.3,42,690/- and he has also brought an account payee cheque for this purpose. At the same time, the Company Secretary also undertakes to this Court that the said cheque will be duly honoured on presentation and that the Company shall ensure the

availability of sufficient funds in the account of the company at all relevant time. Counsel for the petitioner states that the same is acceptable to him and prays that the petition be disposed of on the aforesaid terms.

It is ordered accordingly.

The aforesaid cheque No.077355 dated 11.07.2016 amounting to Rs.3,42,690/- drawn on Corporation Bank, NOIDA, Sector 18, U.P. has also been handed over to counsel for the petitioner in Court today towards full and final settlement of all the claims of the petitioner with regard to the subject matter of this petition. Undertaking of the Company Secretary of the respondent company is also accepted and he shall remain bound by the same.

The petition alongwith pending applications stands disposed of.

SUDERSHAN KUMAR MISRA, J.

JULY 12, 2016

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