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

+ CO.PET. 19/2016 & CA Nos. 93-94/2016

RAUNAQ STEELS TRADING PVT LTD Petitioner

Through: Mr Rajiv V. Chhetri, Mr Rajesh Chhtri,
Ms Meenakshi Rawat & Mr Pawan Upadhyay,
Adv.

versus

TECPRO SYSTEMS LTD. Respondent

Through: Mr Rajiv Bahl, Adv. for the OL.

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

% **13.01.2016**

1. This is a petition filed under Section 433 of the Companies Act, 1956 to seek winding up of the respondent company in respect of purported admitted debt.

2. Mr Rajiv Bahl, learned senior standing counsel for the OL informs me that the respondent company has been registered in the Board for Industrial and Financial Reconstruction (BIFR) under the provisions of the Sick Industrial Companies (Special Provisions) Act, 1985 (in short the SICA). In this behalf, a copy of the communication dated 14.07.2015, addressed to the Chairman and Managing Director of the respondent company has been shown to me. A copy of the same has also been given to the learned counsel for the petitioner.

3. In these circumstances, it is quite clear that the winding up petition can neither be instituted nor continue in this court, during the pendency of

proceedings under the SICA.

4. Accordingly, the captioned petition and the applications are disposed of with liberty to the petitioner to approach this court after either seeking relevant consent from the BIFR or after the proceedings under the SICA are concluded, in accordance with law.

RAJIV SHAKDHER, J

JANUARY 13, 2016

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