

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORIGINAL JURISDICTION)

FRIDAY, THE 12TH DAY OF JANUARY 2018

THE HON'BLE MR.JUSTICE M.M.SUNDRESH

COMP.APPLN.NO.518 OF 2017

IN

COMP.PETN.NO.255 OF 2014

In the matter of Companies Act, 1956

And

In the matter of M/s.First Leasing Company of India Limited
(In Liquidation)

C.P.NO.255/2014:

M/s.ICICI Bank Limited
Having its Registered Office at
Landmarke Race Course Circle,
Vadodara-390 007, and its
Branch Office at Cenotaph Road,
Teynampet, Chennai-600 018
Represented by its Authorized Signatory,
And Power of Attorney
Ms.N.Shanthakumari

.. Petitioner

Vs.

M/s.First Leasing Company of India Limited
749, Anna Salai,
Chennai-600 002

.. Respondent

C.A.No.518/2017:

The Official Liquidator,
High Court, Madras as the Liquidator
of M/s First Leasing Company of
India Limited
(In Provisional Liquidator)

...Applicant

Vs.

M/s.Skyway Rmc Plants Private Limited,
Represented by its Managing Director
Mr.Kelvin Simon Kohli, 1
having its Registered Office situated
at 217, Kartik Complex,
OPP: Laxmi Industrial Estate
New Link Road, Anderi (West)
Mumbai -400 053

..Respondent

The Company Applicant praying this Court:-

a) To direct the respondent/debtor Company to pay the debt due amount of Rs.11,61,579.16 towards entire settlement along with subsequent interest @ 18% p.a till the date of final payment.

b) To direct respondent to surrender assets in terms of clause (18) the agreement.

c) To Permit the Official Liquidator meet out the cost of this application does come out of the funds of the company in Provisional Liquidation.

The Company Application coming on this day before this Court for hearing in the presence of Mr.P.Atchutha Ramaiah, Official Liquidator, High Court, Madras, the applicant herein and the Respondent not appearing in person or through Advocate and upon reading the Judge's Summons and Report of Official Liquidator filed herein, the Court made the following order:-

"This application has been filed by the learned Official Liquidator on behalf of the company in liquidation seeking a direction to the respondent to pay the debt apart from other reliefs sought for.

2. Heard the learned Official Liquidator. Despite service of notice, none appears for the respondent.

3. A perusal of the averments made in the affidavit filed in support of the application would show that the claim has

been made based upon the records maintained by the company in liquidation. The averments are not being controverted “.

4.In such view of the matter, the application is ordered as prayed for”.

WITNESS, The MS.INDIRA BANERJEE, the Chief Justice of Madras High Court, as aforesaid this the 12th day of January 2018.

Sd/-
JOINT REGISTRAR(O.S)

//CERTIFIED TO BE A TRUE COPY//
DATED THIS THE DAY OF 2018.

COURT OFFICER.

From 25th September 2008 the Registry is issuing certified copies of the Orders/Judgments/Decree in this format.

TE-15.05.2018

COMP.APPLN.NO.518 OF 2017
IN
COMP.PETN.NO.255 OF 2014

ORDER DATED:12/01/2018

THE HON'BLE MR.JUSTICE
M.M.SUNDRESH

FOR APPROVAL ON:16/05/2018

APPROVED ON:16/05/2018

To:

The Official Liquidator,
High Court, Madras.