

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORIGINAL JURISDICTION)

Monday, the 9th day of October 2017

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

COMP.APPLN.NO.455 OF 2017

IN

COMP.PETN.NO.61 OF 1992

In the matter of Companies Act, 1956

And

In the matter of M/s.Sears Electronics Limited
(In liquidation)

C.P.NO.61/1992:

M/s.Elcompo Electronic Industries
Private Limited
No.1-2, Instronics Campus,
Thiruvanniyur,
Chennai -600 041

.. Petitioner

Vs.

M/s.Sears Electronics Limited,
No.123-A-3, Dr.Muthulakshmi Street,
Annamalai Complex,
Thiruvanniyur,
Chennai -600 041

...Respondent

C.A.No.295/1996

The Official Liquidator,
High Court of Madras as the
liquidator of M/s.Sears Electronics
Limited (In Liquidation)

...Applicant

Vs.

1.M/s.Coral Electronics (Calcutta)
Private Limited
No.12, Sardar Sankar Road,
Calcutta -700 026

2.Sri.A.N.Bhattacharya
Managing Director of
M/s.Coral Electronics (Calcutta)
Private Limited,
No.213, Aelite Co-operative Housing Society,
No.3, Bidan Sishu Sanani,
Flat No.213, Calcutta-54

...Respondents

C.A.No. 455/2017:

The Official Liquidator,
High Court of Madras as the
liquidator of M/s. Sears Electronics
Limited (in liquidation)

...Applicant

Vs.

1.M/s.Coral Electronics (Calcutta)
Private Limited
No.12, Sardar Sankar Road,
Calcutta -700 026

2.Sri.A.N.Bhattacharya
Managing Director of
M/s.Coral Electronics (Calcutta)
Private Limited,
No.213, Aelite Co-operative Housing Society,
No.3, Bidan Sishu Sanani,
Flat No.213, Calcutta-54

3.Smt.Renu Bhattacharya,
Wife of Amarendranath Battachaya,
Aelite Housing Society,
No.3, Bidhan Sishu Sarani,
Flat No.213, Kolkatta-700 054

...Proposed Respondents

The Company Applicant praying this Court:-

a)To extend the time for filing Execution Proceedings

b)To delete the name of the respondent No.2 from this proceeding in view of reasons mentioned in para-5.

c)To implead the proposed respondent viz., Smt.Renu Bhattacharya, wife of Respondent No.2 as party to this proceedings.

d)To transmit the Decree to Learned District Magistrate, Alipore Court, South 24 Pargans.

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

"Seeking a direction to extend the time for filing execution proceedings and for other reliefs, the learned Official Liquidator has filed the present application.

2.Despite intimation, none appears for the respondents.

3.It is submitted by the learned Official Liquidator that the decree has attained finality. The proposed respondents, as could be seen from the averments made in the affidavit filed in support of the application, are necessary parties. Accordingly, the application stands ordered".

WITNESS, The MS.INDIRA BANERJEE, the Chief Justice of Madras High Court, as aforesaid this the 9th day of October 2017.

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-18.05.2018

COMP.APPLN.NO.455 OF 2017
IN
COMP.PETN.NO.61 OF 1992

ORDER DATED:09/10/2017

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

FOR APPROVAL ON:01/06/20178

APPROVED ON:22/06/2018

To:

The Official Liquidator,
High Court, Madras.