

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.07.2017

CORAM:

THE HONOURABLE MR. JUSTICE RAJIV SHAKDHER
and
THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

O.S.A.Nos.255 & 256 of 2014
and M.P.Nos.1, 1, 2 & 2 of 2014

M/s.Mascon Global Limited
2nd Floor, R.R.Towers IV,
Thiru.Vi.Ka Industrial Estate,
Guindy, Chennai - 600 032.

Having now shifted its registered office to
Chandra Apartments,
25 A Hospital Road
Saidapet
Chennai-600 015.

...Appellant in
both O.S.As'

vs.

1. M/s L&T Finance Limited
Having its registered office at
L&T House, Ballard Estate
Mumbai-400 001
Represented by its authorised signatory Mr.B.Vidhyadhar Rao
2. The Official Liquidator
As Provisional Liquidator of Mascon Global Limited
Corporate Bhawan (UTI Buildings).
2nd Floor, No.29 Rajaji Salai,
Chennai-600 001.

... Respondents in
both O.S.As'

Original Side Appeal No.255 of 2014 filed under Order XXXVI
Rule 1 of O.S.Rules read with Clause 15 of the letters patent
against the order dated 29.04.2014 made in Company Petition
No.82 of 2011.

Original Side Appeal No.256 of 2014 filed under Order XXXVI
Rule of O.S.Rules read with Clause 15 of the letters patent

against the order dated 29.04.2014 made in Company Application No.840 of 2012 in Company Petition No.82 of 2011.

For Appellants : Mr.Vikram for Mr.T.K.Bhaskar
(In both O.S.As')

For Respondents : Mr.S.R.Sundar for R2
(In both O.S.As')
R1 - Not Ready

COMMON JUDGMENT

[Judgment of the Court was made by RAJIV SHAKDHER, J.]

1. These are the appeals filed against the order dated 29.04.2014, passed by the learned company Judge.

1.1. By virtue of the said order, Company petition No.82 of 2011 filed by the first respondent company was admitted and the Official Liquidator (In short OL) was appointed as the Provisional Liquidator.

2. Aggrieved by the said order, the appellant preferred the instant appeals, qua which notice was issued on 27.11.2014.

2.1. Furthermore, by the very same order, the Court directed that status quo will be maintained as obtaining on that day.

3. Mr.Sundar, informs us that the OL, who was acting as the Provisional Liquidator qua the appellant, has taken possession of the affairs (which includes the assets) of the appellant by virtue of the order passed in another winding up action.

2.2. This position is not disputed by the counsel for the appellant.

3. Accordingly, in our view, it appears nothing survives in these appeals.

4. At this stage, the counsel for the appellant says that he had filed a memo dated 21.10.2016 with the Registry indicating therein that he would be seeking a discharge in the captioned matters.

4.1. To be noted, the memo, however, is not before this Court.

5. In these circumstances, the appeals are dismissed with the liberty to the appellant to move this Court, in case, it is aggrieved by the order passed today, albeit, in accordance with

law. Consequently, the connected pending applications are also closed. There shall, however, be no order as to costs.

6. A Copy of this order will be dispatched to the appellant at the address available on record. The Registry will ensure that the order, passed by this Court, is sent to the appellant. A report in this behalf will be placed on record.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

vsm

To

1. M/s.Mascon Global Limited
Chnadra Apartments,
25A, Hospital Road,
Saidapet, Chennai-600 015
2. The Sub Assistant Registrar
Original Side,
High Court, Madras.

+2cc's to M/s.S.R.Sundar, Advocate vide S.R.No.53778 & 53777

O.S.A.Nos.255 & 256 of 2014

GJ(CO)
CU(17/08/2017)

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