

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.08.2017

CORAM:

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

O.S.A.No.352 of 2012
and M.P.No.1 of 2012

Noble Engineering Private Limited,
Registered Office at Plot No.10,
Vengaivasal Main Road, Santhoshapuram,
Chennai, Tamil Nadu 600 073. Appellant

vs.

M/s.Jacquet Export,
Having its office at Rue Michel Jacquet-BP61,
F-69802 Saint - Priest Cedex,
France.
Rep. By its Power of Attorney Holder,
Pankaj Sachdeva, No.49/7,
East Patel Nagar, New Delhi - 110 008. Respondent

Appeal filed under Order XXXVI Rule 1 of O.S.Rules read with
Clauses 15 of the Letters Patent against the order dated
26.06.2012 made in C.P.No.102 of 2011.

C.P.No.102 of 2011:- praying (a) to Order the winding up of the
respondent Company namely M/s.Noble Engineering Pvt. Ltd. under
the provision of the Companies Act 1956.

b) To appoint the O.L of this Court or some other fit and proper
person as the P.L. of the said company with all the necessary
powers under the provisions of the Companies Act 1956.

c) Award cost of this petition.

For Appellant : Mr.R.Kumaravel
for Mr.R.Aravind

For Respondent : Mr.B.R.Shankaralingam

JUDGMENT

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

1. To be noted, there was no appearance on behalf of the appellant on 04.08.2017, and on 09.08.2017.

2. Mr.Kumaravel, Advocate, who is present in Court, informs us that he no longer acts on behalf of the appellant.

2.1. There is no application on record, which would show that he has sought discharge in the matter.

3. In these circumstances, presently, we are of the view that the appellant is trying to avoid hearing in the matter.

4. The record further shows that the appeal was admitted on 01.10.2012. On that date, interim stay was also granted.

5. In these circumstances, the appeal is dismissed and the interim stay as granted is vacated. Consequently, M.P.No.1 of 2012 shall stand dismissed. There shall, however, be no order as to costs.

5.1. The Official Liquidator will act in terms of the order dated 26.06.2012, passed by the learned Company Judge.

6. A copy of this order will be dispatched by the Registry without insistence on process fee to the Official Liquidator, attached to this Court. The Registry will also dispatch the copy of the order to the appellant.

Sd/-

सत्यमेव जयते
Asst.Registrar (CCC)

/true copy/

Sub Asst. Registrar

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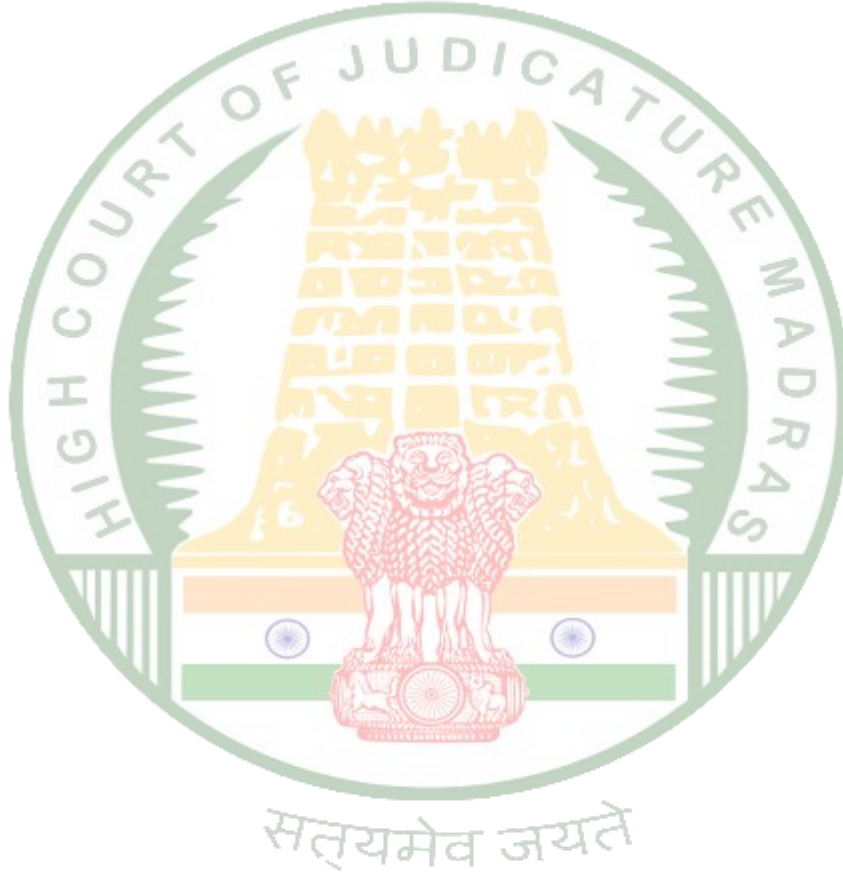
1. The sub Assistant Registrar (OS)
High Court, Madras-104.

2.The Official Liquidator, High Court Madras
2nd Floor, Corporate Bhavan,
No.29, Rajaji Salai, Chennai-600 001.

+1cc to Mr.B.R.Shankaralingam, Advocate Sr. 57832

O.S.A.No.352 of 2012

MSM(CO)
VR(08/09/2017)



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