

CP-101-2012 (O&M)

Date of Decision : 17.03.2017

M/s Mukesh Steels Limited

.....Petitioner

versus

Sudarshan Concast Private Ltd.

....Respondent

CORAM : HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. Sunil Chadha, Senior Advocate with
Ms. Pallavi Singh, Advocate
for the petitioner.

Mr. Namit Gautam, Advocate
for the respondent.

M.M.S. BEDI, JUDGE (ORAL)

The present petition has been filed by the petitioner-company under section 433(e), 434 and 439 of the Companies Act, 1956 for winding up of the respondent company for non-payment of its dues.

The detailed facts of the case have been enumerated in the order dated 12.05.2015 and after consideration of the same, the petition was ordered to be admitted and it was further ordered that the publication of the citation of admission be published in the Newspapers namely Indian Express (English) and Jagbani (Punjab) both Punjab Editions and in the official Gazette of Government of Punjab. However, an opportunity was granted to the respondent company to settle the dispute with the petitioner on or before 31.12.2015 and thereafter, the factum of admission was ordered to be published.

Since, the matter was not settled between the parties, the petitioner-company published the admission notice in the aforesaid

newspapers and in the official Gazette of Government of Punjab and affidavit dated 7.10.2016 to this effect has been filed.

On 03.02.2017, Learned Counsel for the respondent submitted that he has got instructions to state that in case a period of one month is granted to the respondent-company, the matter can be amicably settled. But the matter could not be settled till date.

The respondent company has not paid the admitted dues to the petitioner company. Hence the respondent Company deserves to be wound up. Ordered accordingly. The respondent company is ordered to be wound up. The Official Liquidator is directed to take charge of the all the movable and immovable assets and records of the respondent company and proceed as per law.

The winding up order be published in newspapers namely 'Indian Express' (English) and 'Jagbani' (Punjabi) both Punjab Editions and in the official Gazette of Government of Punjab.

The petition is disposed of.

(M.M.S. BEDI)
JUDGE

17.03.2017

Neha

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No