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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CO.PET. 423/2014, CO. APPL. 884/2015, 3180/2016 & 4464/2016**

M/S BANSAL & COMPANY

..... Petitioner

Through

versus

M/S HARYANA FOILS LIMITED & ORS

..... Respondent

Through: Mr. Harminder Khullar, Advocate for
R-1.

Mr. Manish Bishnoi, Advocate for OL.

CORAM:

HON'BLE MR. JUSTICE SIDDHARTH MRIDUL

ORDER

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13.01.2017

CO. APPL. 4464/2016

The present application under Rule 9 of the Companies (Court) Rules, 1959 read with Section 151 CPC has been filed on behalf of the respondent company praying as follows:-

a) allow the present application and recall the Order dated 19.01.2016 passed by this Hon'ble Court appointing Provisional Liquidator in the present matter;

b) direct the Office of the Official liquidator to de-seal the premises of the Respondent Company and to remove security guards from the same; and

c) also pass such other or further Order(s)/direction(s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.

Vide order dated 19th January 2016, the provisional liquidator was appointed by this Court and citations were directed to be published in newspapers. By way of order dated 23rd September 2016, CA 3631/2016, the

application seeking leave to withdraw the winding up petition was allowed in view of the compromise arrived at by and between the parties towards full and final settlement of the claims of the petitioner company.

Thereafter, the present application came to be filed seeking grant of the above-extracted prayers. Vide order dated 7th December 2016, it was observed that counsel appearing on behalf of the respondent company paid a sum of Rs.5,00,000/- to the Official Liquidator.

Mr. Bishnoi, learned counsel appearing on behalf of the Official Liquidator states that the expenses incurred by the latter pursuant to the appointment of the Official Liquidator have been paid by the respondent company and he does not oppose the present application in view thereof.

In view of the foregoing and for the reasons stated in the application, the limited prayer sought by way of prayer clause (b) is granted. The Official Liquidator is allowed to de-seal the following premises and hand over possession within fifteen days from today:-

1. Haryana Foils Ltd., 15, Industrial Area, Sector-21, Bhiwani, Haryana.
2. Head Office (Regd. Office), 90, Vidya Vihar, West Enclave, Pitam Pura, Delhi-110085.

The expenses qua the same are to be borne by the respondent company.

Directed accordingly.

With the above directions, the application stands disposed of.

SIDDHARTH MRIDUL, J

JANUARY 13, 2017

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