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

+ **CO.APP. 53/2014**

PASUPATI FINCAP LTD & ANR.

..... Appellants

Represented by: **Mr.Navin Chawla & Mr.Aditya
Vaibhav Singh, Advocates.**

versus

GANGA AUTOMOBILES LTD

IN LIQUIDATION

..... Respondent

Represented by: **Mr.Manish Bishnoi, Advocate**

CORAM:

HON'BLE MR. JUSTICE PRADEEP NANDRAJOG

HON'BLE MR. JUSTICE YOGESH KHANNA

ORDER

% **02.02.2017**

1. With the consent of parties, noting that the learned Single Judge while passing the impugned order (which is just cryptic) has not considered the law laid down by the Supreme Court in the decision reported as (2013) 1 SCC 462 *Jitendera Nath Singh vs. Official Liquidator & Ors*, the appeal is disposed of setting aside the impugned order dated January 08, 2014.

2. The Company Application No.386/2011 is restored before the learned Company Judge for adjudication afresh with the direction that the issues between the parties would be decided keeping in view the law declared by the Supreme Court in *Jitendera Nath Singh* case (supra).

3. No costs.

PRADEEP NANDRAJOG, J

YOGESH KHANNA, J

FEBRUARY 02, 2017

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