

IN THE HIGH COURT OF JUDICATURE AT PATNA

Company Petition No.2 of 2014

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Tata Capital Finance Services Limited, formerly known as Tata Capital Limited a company incorporated under the Provisions of Companies Act, 1956 and having its registered office At Forbes Street B.B. Gandhi Fort, Mumbai, 400001, and having its branch office at Boring Road, Opposite Jyoti Kunj Hospital, P.S. - S.K. Puri, Patna - 800001

.... Petitioner

Versus

Maa Kali Civicon Corporation Ltd., having its registered office At Flat B - 103, Jagmano Shree Garden, Vedh Nagar, Rukanpura, P.S. - Rupspur, Patna - 800023 through its Directors.

.... Respondents

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Appearance :

For the Petitioner : Mr. Amresh Kumar Sinha, Advocate.

For the Respondents : Mr. Anant Kumar-1, Advocate.

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 09-10-2018

Heard learned counsel for the petitioner and learned counsel for the respondents.

2. The present petition has been filed under Sections 433(e), 434(1)(a) and 439(1)(b) of the Companies Act, 1956 for winding up of the respondent-Company; and for connected reliefs, on the ground that the respondent-Company was unable to pay its debts.

3. At the outset itself, learned counsel for the respondent-Company invites reference to the counter affidavit filed on 24.08.2018 according to which a compromise was arrived at between the parties in terms of proposed settlement dated 05.06.2018 of



Rs. 1,10,00,000/- in four instalments. It is stated that the aforesaid amount of Rs. 1,10,00,000/- has since been paid to the petitioner who has accepted the same.

4. Learned counsel for the petitioner confirms the fact of settlement and payment of Rs. 1,10,00,000/- received from the respondent-Company as stated in its supplementary affidavit filed on 05.10.2018.

5. In view of the aforesaid stand of the parties and the dispute between them having been resolved, learned counsel for the petitioner assures that the no dues certificate along with original documents of the respondent-Company would be handed over to the respondent-Company after completing any necessary formalities without delay.

6. The Company Petition stands disposed of.

(Vikash Jain, J)

Md. Ibrarul/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	10.10.2018
Transmission Date	N.A.

