

HON'BLE SRI JUSTICE S.V.BHATT

COMPANY PETITION No.401 OF 2016

ORDER:

Heard Mr.K.Sddarth Rao for petitioner and Mr.Avinash Desai for respondent.

The company petition is filed under Sections 433 and 434, 439 (1)(b) of the Companies Act, 1956 for winding up of respondent company.

The claim of petitioner is for a sum of Rs.41,53,463/-. The respondent, it is stated, during the pendency of the company petition made part payments and as on date, the amount payable is Rs.13,61,384/-. The respondent through Mr.Avinash Desai undertakes to pay the balance amount of Rs.13,61,384/- on or before 31.03.2018. Hence, there is no necessity to proceed with the company petition. The statement of respondent is placed on record.

The company petition is closed subject to the condition that the respondent pays the balance amount of Rs.13,61,384/- on or before 31.03.2018. If the amount is not paid, as indicated above, the petitioner is given liberty to seek revival of the company petition and the revival of company petition will be subject to further costs payable by respondent herein.

S. V. BHATT, J

01st February, 2018

Lrkm