

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

COMPANY PETITION No. 149 OF 2003

ORDER :

This Company Petition is filed seeking winding up of the respondent company for its inability to discharge the liability to the petitioner to the tune of Rs.8,30,768/-.

On the last occasion, this Court observed that an affidavit in lieu of chief-examination of Sri Vijayender Reddy was filed as far back as in December 2004 and if the said Vijayender Reddy is still working with the petitioner company, he should appear before this Court, otherwise, the petitioner was granted liberty to file an affidavit of the authorised person on or before 31.08.2018 and the said person should make himself available on 04.09.2018 at 02.15 P.M. for the purpose of cross-examination. It was made clear that if the affidavit is not filed and the person, who is going to depose, is not present, it would be presumed that the petitioner is no longer interested in prosecuting the Company Petition and the same would be dismissed for non-prosecution.

Today, when the Company Petition is taken up, learned counsel for the petitioner submits that in spite of his best efforts, none from the petitioner's company is responding. In those circumstances, he submits that necessary orders as deemed fit, may be passed.

In view of the submission of the learned counsel, the petitioner seems to have no interest in pursuing the matter. Hence, the Company Petition is dismissed for non-prosecution.

CHALLA KODANDA RAM, J

11th September 2018

ksld