

HON'BLE SRI JUSTICE S.V.BHATT

Company Application Nos.869 OF 2017

In

Company Petition No.250 of 2013

ORDER:

Heard Mr.C.Sumon for applicant and Mr.Smhadri for respondent.

The applicant herein filed C.P. No.250 of 2013, a creditors winding up petition against respondent herein. On 10.02.2014, the company petition was admitted. On 29.04.2014 by accepting the memo of settlement arrived at between the parties, company petition No.250 of 2013 was closed. The present application is filed for recalling the order dated 29.04.2014 and restoring company petition to file and an oral request is made for publishing the advertisement in the newspapers. At request of respondent, time to verify the averments in the affidavit filed along with Company Application No.869 of 2017 was granted to respondent. What remains undisputed as on today is the respondent in furtherance of the conditions agreed under the settlement did not pay any amount to applicant. Hence this Court is persuaded to recall the order dated 29.04.2014 and restore the company petition to file. The petitioner will carry out advertisement in two local newspapers, one is 'Business Standard' (English daily) and another is 'Andhra Bhoomi' (Telugu daily) and file proof of publication of advertisement. For filing proof of advertisement, list on 16.04.2018.

Company Application is ordered accordingly.

S.V.BHATT, J

Date:12.03.2018

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