

CWP No. 1315 of 2010 (O&M)

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**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**CWP No. 1315 of 2010 (O&M)
Date of decision : 06.12.2018**

Dr. Kartar Singh Rai through his L.R. Inderdev Singh Rai

.....Petitioner

Versus

Registrar of Companies, Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: None for the petitioner.

Mr. Lupil Gupta, Advocate
for respondents No.2 and 3.

ARUN MONGA, J(ORAL)

C.M. No.18655 of 2017

It has been filed under order XXII, Rule 3 read with Section 151 CPC for impleading the applicant as L.R. of Dr. Kartar Singh Rai who died during the pendency of the writ petition.

Learned counsel for the respondents have no objection to the said application. The same is accordingly allowed subject to just exceptions.

Amended memo of parties is taken on record accordingly.

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In the present petition, an application has been filed on behalf of respondents No.2 and 3 contending that earlier respondent no.2 was opposing winding up notice issued to respondent no.1 under section 560 of the Companies Act, 1956. Owing to the change of the circumstances i.e. death of the petitioner-Dr. Kartar Singh Rai who was one of the Director, the respondent No.2 does not oppose the winding up. The applicant

respondent No.2 is in agreement with the petitioner that the company has to be wound up and learned counsel for respondent no.1-ROC also states that he is also ad idem with the petitioner and also respondents No.2 and 3 that the company ought to be wound up.

In view the consensus of learned counsels present writ petition is allowed and impugned order dated 11.12.2009 Annexure P21 is set aside, with liberty to the respondent No.1 to proceed with winding up of the companies as agreed by all the parties.

Disposed off.

(ARUN MONGA)
JUDGE

06.12.2018

dkp

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No