

\$~CP-34

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CO.PET. 520/2012

SYED MUDASSIR ALI

..... Petitioner

Through

versus

M/S MOONUP INFOTECH(P) LTD Respondent

Through Ms.Isha Khanna, Adv. for OL

CORAM:

HON'BLE MR. JUSTICE JAYANT NATH

ORDER

%

30.11.2018

CA 1411/2018

This application is filed seeking to dissolve the respondent company. It is prayed to dispense with the publication of the advertisement of the winding up order.

As per the application by order dated 12.2.2013 the OL was appointed as the Provisional Liquidator. Citations were published in the concerned newspaper. The Ex. Directors appeared before the OL for recording of their statement under section 130 of the Company Court (Rules). As of today, the OL has not been able to seize any of the movable/immovable assets of the company. There are no assets of the company which can be realized. A criminal complaint was filed against the Ex. Directors. The Ex. Directors are also now not traceable despite issuing bailable warrants to secure their presence.

The fund position of the company as on 31.10.2018 is stated to be Rs.-76,764/-. It is appropriate that this Court dissolve the company under section 481 of the Companies Act and dispense with the publication.

Accordingly, the following prayers are made:-

- (a) Dispense with the publication of advertisement of winding up order as stated in para 15 of the present application;
- (b) The Official Liquidator may be permitted to adjust negative balance of Rs.76,764/- from Common Pool Fund accounts maintained by this office for keeping Nil balance of Company (In Prov.Liqn.)
- (c) Pass an order for winding up the company.”

The prayers above are allowed. Application stands disposed of.

Co.Pet.520/2012

In view of the above, the respondent company is dissolved.

Petition stands disposed of. Date of 19.12.2018 already fixed stands cancelled.

JAYANT NATH, J

NOVEMBER 30, 2018

n