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

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Date of decision: 11.10.2018

+ CO.PET. 741/2016

ASSOCIATION OF APARTMENT OWNERS OF NEW DELHI
HOUSE (REGD.) Petitioner

Through Ms.Sunita Bhardwaj, Adv. for the
petitioner.
Mr.Ashok Nagrath, Adv.for the
petitioner
(both counsel dispute the authority of
each other)

Versus

AUTO CONTROL PVT. LTD. Respondent

Through Mr.Peeyoosh Kalra and Ms.Sona
Babbar, Advocates.

CORAM:
HON'BLE MR. JUSTICE JAYANT NATH

JAYANT NATH, J.(ORAL)

1. This petition is filed under section 433(e) and 434 of the Companies Act, 1956 for winding up of the respondent company.
2. The case of the petitioner is that the petitioner association is a society registered under the Societies Registration Act, 1860 and is also acting in consonance with the Delhi Apartment Ownership Act, 1986. It is also stated that the petitioner raised invoice Bill No.35 of 2016 for Rs.1,05,000/- against the respondent towards augmented and upgraded electric installations of the building New Delhi House. The respondent company failed to pay the said amount. Hence, a statutory notice was issued on the respondent on

16.04.2016. As there was no response the present winding up petition has been filed.

3. In a connected matter having identical facts and issues I have today in Co. Pet. 740/2016 dismissed the petition. For the same reasons and on the same grounds I dismiss this present petition also.

4. Accordingly, the present petition is dismissed. All pending applications, if any, also stand disposed off.

(JAYANT NATH)
JUDGE

OCTOBER 11, 2018

Corrected and released on 17.11.2018



सत्यमेव जयते