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

% ***Date of decision**:* 13.03.2018

\+ CO.PET. 967/2015

IN THE MATTER OF SINGER INDIA TRADING LIMITED (VOL.LIQN.) .... Petitioner

Through Mr. Rishi Manchanda, Advocate on behalf of Official Liquidator.

CORAM:
HON'BLE MR. JUSTICE JAYANT NATH

JAYANT NATH, J. (ORAL)

1. This is a petition, filed under Section 497(6) of the Companies Act, 1956(*herein referred to as "the Act"),* by the Official Liquidator (OL) for voluntary winding up of SINGER INDIA TRADING LIMITED *(herein referred to as the "said company").*

2. The said Company was incorporated on 17.03.1983 under the provisions of the Act with the Registrar of Companies (ROC), having authorized share capital of Rs. 1,00,00,000/- divided into 9,90,000 equity shares of Rs. 10/- each and 1000 15% Redeemable Preference Shares of Rs. 100/- each. The issued Capital of the Company is Rs. 61,00,410/- divided into 6,10,014 equity shares of Rs. 10/- each.

3. The registered office of the said company is situated within the territory of NCT of Delhi at 2nd Floor, Guru Angad Dev Bhawan 71, Nehru Place, New Delhi-110019.

4. Pursuant to the provisions of Section 490 of the Act and other applicable provisions of the Act, the said Company has passed a special

resolution in its Extraordinary General Meeting held on 29.06.2009 for voluntary winding up of the Company, wherein, Mr. Deepak Diwan was appointed as a Voluntary Liquidators of the said Company at a remuneration of Rs. 5,000/-.

5. The ROC was informed regarding the voluntary winding up and the appointment of the Voluntary Liquidator. Notices under Rule 315 of the Company (Court) Rules 1959, were issued and requisite forms were filed with the ROC.

6. The Declaration of Solvency was executed and approved by the Board of Director in their meeting held on 05.06.2009, and the same has been filed with the office of the ROC in Form 149 as prescribed under Section 488 of the Act.

7. The Voluntary Liquidator has filed the requisite forms and notices which were published in the Official Gazette as well as in the newspaper "Business Standard" (English) and "Veer Arjun" (Hindi) along with Memorandum of Association and Articles of Association with the Office of OL.

8. Pursuant to Section 497 of the Act, final Extraordinary General Meeting was held on 27.11.2009 and the Voluntary Liquidator filed the final accounts of the Company in Forms No.156 and157, as prescribed under Rules 329 and 331 of the Companies (Court) Rules, 1959, before the ROC and to the OL.

9. The OL has received No Objection Certificates (NOC) from the ROC and the Income Tax Department.

10. The said company being a Holding Company have filed an Indemnity Bond with the OL to pay and settle all lawful claims arising in future after

the winding up of the said company/ to indemnify any person for any losses that may rise pursuant to the winding up of the said company.

11. The OL has scrutinized the records submitted by the Voluntary Liquidator and has recorded satisfaction that necessary compliances of Section 497 of the Act and the other relevant provisions of the Act have been made and that the affairs of the said Company have not been conducted in a manner prejudicial to the interest of its members or to the public.

12. The OL, in these circumstances, has sought winding up and final dissolution of the said Company from the date of filing of the petition i.e. 15.12.2015.

13. In view of the above and the satisfaction recorded by the OL, the said Company is wound up and shall be deemed to be dissolved with effect from the date of the filing of the petition i.e.15.12.2015.

14. Copy of the order be filed by the OL with the ROC within the statutory period as per the Act.

15. The petition is accordingly disposed of.

JAYANT NATH, J.

MARCH 13, 2018/*ss*
corrected and signed on 17.04.2018