

Comp.A.Nos.503 of 2018, 561 of 2017 and 988 of 2016
in
C.P.No.274 of 2013

SENTHILKUMAR RAMAMOORTHY,J.

This Company application is filed to close the applications filed earlier under Section 454 (5A) of the Companies Act 1956 and the application filed under Section 464 & 477 of the companies Act and to dissolve the company in liquidation without filing the final accounts and for consequential directions in this regard.

2. I heard the Deputy Official Liquidator. The Official Liquidator filed a report dated 03.09.2018 whereby it is stated that the company was ordered to be wound up by order dated 26.08.2015, after the appointment of the Official Liquidator as Provisional Liquidator by an earlier order dated 10.03.2015. In the said report, it is stated that the Official Liquidator issued notice dated 20.05.2015 under rule 130 of the Companies Act 1959 to the Ex-Directors to furnish information about the company but the notice was returned with the postal remarks "Left". It is further stated that the Ex-Directors did not file statement of affairs as required under Section 454 of the Companies Act and therefore, applications were filed under Section 454 (5A) and that the

said application is pending. It is further stated that in the absence of the statement of affairs, the Official Liquidator was unable to ascertain the creditors and debtors of the company and in view of the same, the Official Liquidator was not able to call for claims from the creditors. Therefore, the Deputy Official Liquidators submits that the said applications may be closed.

3.As regards the assets of the company, it is stated that a sum of Rs.9840/- is available with the Official Liquidator for utilization towards incidental expenses in filing the present applications etc. On the above basis, it is submitted therein that no useful purpose would be served by continuing with the winding up and that orders may be passed for dissolution of the company.

4. Upon examining the report of the Official Liquidator and the annexure thereto pertaining to the credit balance of Rs.9840/-, I am of the opinion that no useful purpose would be served by continuing with the winding up of the company. Accordingly, it is just and necessary that the company to dissolved under Section 481 of the

companies Act.

5.In view of the foregoing reasons, the following orders and directions are issued:

- a) Company Application No.988 of 2016 is hereby closed.
- b) Company Application No.561 of 2017 is hereby closed.
- c) The Official Liquidator is permitted to file final accounts without an audit.
- d) The Company in liquidation is ordered to be dissolved under Section 481 of the Companies Act and the Official Liquidator is further directed to take all consequential action in this regard.
- e) The Official Liquidator is permitted to incur incidental expenses in respect of filing of the application from the funds available in the account of the Company Liquidation and transfer any remaining amount to the Common Pool Fund account.

6.These Applications are disposed of on the above terms.

04.10.2019

vsn

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