

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.10.2019

CORAM

THE HONOURABLE Mr.JUSTICE **SENTHILKUMAR RAMAMOORTHY**

CONT.P.NO.1779 OF 2019

M/s.Ricoh India Limited

A company incorporated under the Provisions of the Companies Act, 1956 and undergoing Corporate Insolvency Resolution Process under the Insolvency and Bankruptcy Code, 2016.

Represented by;

Resolution Professional Mr.Krishna Chamadia
No.1, Solitaire Corporate Park,
Guru Hargovindji Marg, Ghatkopar Link Road,
Chakala, Andheri East, Mumbai-400093.

...Petitioner

Vs

Thirumalaimuthu

Official Liquidator, High Court of Madras

The Liquidator of M/s. Everron Education Limited

Having Office at;

Office of the Liquidator, High Court of Madras,
2nd Floor Corporate Bhawan, No.29, Rajaji Salai,
Chennai-600 001.

.. Respondent

Prayer: Contempt Petition filed under Section 11 of the Contempt of courts Act 1971 to pass an order t punish the Respondent for his willful and deliberate disobedience of the order dated 26.07.2019 in CA 43 of 2019 in CP 375 of 2014.

For Petitioner : Mr.Ranga Sayee NRG

For Respondent : Mr.Bavi Setty Sridhar DOL

O R D E R

This petition is filed in respect of alleged willful disobedience of the order dated 26.07.2019 in Company Application No.43 of 2019 in C.P.No.375 of 2014.

2. By an order dated 26.07.2019, this Court directed the Official Liquidator to return the bank guarantee to the applicant. Pursuant to that the Official Liquidator despatched the bank guarantee to the applicant on 25.09.2019 and the said bank guarantee was admittedly received by the applicant on 27.09.2019. The learned Counsel for the applicant submits that the contempt petition was filed on 04.10.2019, due to a genuine communication gap.

3. The Deputy Official Liquidator submits that no time limit was fixed by the order dated 26.07.2019 with regard to the return of the bank guarantee and that upon receipt of the order copy on 09.09.2019, the said bank guarantee was returned within a reasonable time on 25.09.2019.

4. In view of the above facts and circumstances, it is clear that no contempt has been committed and that the petition has been filed without ascertaining the correct

facts.

5. Accordingly, this Contempt Petition is dismissed.

SD/-

ASSISTANT REGISTRAR (COMM.CASES)

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//Certified to be true copy//

Dated at Madras this the day of 2019.

COURT OFFICER (O.S.)

from 25th day of September 2008 the Registry is issuing
Certified copies of the Orders/Judgments/Decrees in this
format.

Smi/24/10/2019

To

Official Liquidator, High Court of Madras
The Liquidator of M/s. Everron Education Limited
Having Office at;
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