

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CP-237-2016

Date of Decision:08.05.2019

M/s Kaeser Compressors(India) Pvt.Limited

....petitioner

Versus

M/s Lakhani Fashion (India) Pvt.Limited and others

.....respondents

CORAM: HON'BLE MR.JUSTICE RAJIV NARAIN RAINA

Present: Mr.Abhinav Kansal, Advocate
for the petitioner

Mr.Kirpal Singh, Advocate for
Mr.Abhilaksh Grover, Advocate
for the Official Liquidator

RAJIV NARAIN RAINA, J. (ORAL):

Mr.Kansal, learned counsel for the petitioner has prayed to withdraw the company petition with liberty to the petitioner-creditor to lodge a claim before the Official Liquidator. The request of permission to withdraw the petition appears to be bona fide and the same is allowed.

Dismissed as withdrawn, with liberty to the petitioner-Company to prove its claim before the Official Liquidator from the assets of the company in liquidation. Mr.Abhinav Kansal, Advocate, has given an assurance that the civil suit filed by the company in Pune, for recovery of the money claimed, will be withdrawn. That suit is reported to have been filed in the year 2013 before winding up order was passed by this Court in the year 2015. In view of the order passed by this Court today, permission to proceed with the suit is declined. It will be the duty of the petitioner-Company to place the certified copy of final order of withdrawal of the suit

before the Official Liquidator, to enable the processing of the claim application, whenever it is filed. If there is a delay, then appropriate application in accordance with law may be moved before this Court for orders.

08.05.2019
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(RAJIV NARAIN RAINA)
JUDGE