$~C-23

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

% **Date of decision: 20.12.2019**

\+ CO.PET. 28/2019

INGLEWOOD MINERALS PRIVATE LIMITED
(In Vol. Liqn) ..... Petitioner

Through: Ms.Ruchi Sindhwani, Sr. Standing Counsel with Ms.Megha Bharara, Advocate for Official Liquidator.

CORAM:
HON'BLE MS. JUSTICE JYOTI SINGH

JYOTI SINGH, J. (ORAL)

1. This petition is filed under section 497(6) of the Companies Act, 1956 (hereinafter referred to as "the Act") by the Official Liquidator seeking dissolution of the Company Inglewood Minerals Private Limited (in members voluntary liquidation).

2. The said Company was incorporated under the provisions of the Companies Act, 1956 with the name *"Kevron Mining India Private Limited"* with the Registrar of Companies, NCT of Delhi & Haryana at Delhi on 29.01.1999 with an authorized capital of Rs.9,50,00,000 (Rupees Nine Crore & Fifty Lacs Only) divided into 95,00,000 (Ninety Five Lacs) equity share of Rs.10/- (Rupees Ten) each. The Company changed its name on 17.03.1999 from "Kevron Mining India Private Limited" to "Inglewod Minerals Private Limited".

3. The registered office of the company is situated within the territory of NCT of Delhi at A-1/292, Ground Floor, Janak Puri, New Delhi-110058.

4. The financial position of the company as disclosed in the audited balance sheets ending as on 31.03.2015 & 31.03.2014 are also annexed to the petition.

5. The prescribed Form No. 149 for the Declaration of Solvency was filed with the Registrar of Companies on 17.09.2015 vide SRN No. C64168552.

6. Pursuant to the provisions of Section 484 (1)(b) of the Act and other applicable provisions of the Act, the Extra Ordinary General Meeting of the Members of the said company was held on 16.09.2015 and a special resolution was passed whereby Mr. Rakesh Kumar was appointed as the Voluntary Liquidator of the Company.

7. That as per the requirement of Section 485 of the Act, the Company has published a notification in the newspapers namely "Business Standard" (English & Hindi) on 16.10.2015 and in the Official Gazette (English & Hindi) on 14.11.2015.

8. The notice of appointment of Voluntary Liquidator in Form 152 as required under Section 493 R/W Rule 315 of the Companies (Court) Rules, 1959 was filed with the Registrar of Companies. The Voluntary Liquidator had also published Form 151 of his appointment as Voluntary Liquidator.

9. Further, pursuant to the provisions of Section 497 (1) of the Act, the Liquidator has also published Form No.155 in the newspapers namely 'Business Standard' (English & Hindi) on 22.03.2018 and in the Official Gazette (English & Hindi) on 31.03.2018 for the final meeting to be held on 30.04.2018.

10. The Final Meeting of the said company was held on 30.04.2018 and the Voluntary Liquidator filed accounts of the said Company in Form No. 156 & 157 as prescribed under Rule 329 & 331 of the Companies (Court) Rules, 1959 for the period from 16.09.2015 to 19.03.2018 before the Registrar of Companies on 04.05.2018 and with the Official Liquidator on 07.05.2018.

11. The Official Liquidator has received No Dues Certificate from Income Tax Department and no objection has been received from the Registrar of Companies.

12. The Voluntary Liquidator namely Mr. Rakesh Kumar, and the Directors i.e. Mr. Balakrishnan Parthasarthy & Mr. Tarun Jaggi, have filed their Affidavits & Indemnity Bond with the Official Liquidator undertaking that:

> *"The indemnifier hereby irrevocably agrees to indemnify the indemnified that in the event of any other statutory or other dues to any of the department of central and state government, any other local authority or any of the secured or unsecured creditors that becomes payable by the Company in future on account of the outcome of any assessment or any other order or instruction issued by any administrative, judicial or quasi-*

> *judicial authority, the same shall be paid by the indemnifier either by himself or jointly with the other indemnifiers*."

13. The Official Liquidator is also satisfied that the necessary compliance of Section 497 and other relevant provisions of the Act have been made and the affairs of the said company have not been conducted in a manner prejudicial to the interest of its members or to the public interest and the said company may be dissolved.

14. In view of the foregoing and in view of the satisfaction accorded by the Official Liquidator by way of the present petition, the said company is hereby wound up and shall be deemed to be dissolved with effect from the date of the filing of the present petition i.e. 03.12.2019.

15. A copy of this order be filed by the Official Liquidator with the Registrar of Companies within the statutory period, as provided for in the Act.

16. The petition is accordingly disposed of.

JYOTI SINGH, J

DECEMBER 20, 2019
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