

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****COMP No. 3 of 2015**

M/s Parity Consumer Care Pvt. Ltd. A Company Incorporated Under The Relevant Provisions Of The Companies Act. 1956 Having Its Registered Office At 55-4-187/ 3and4, lind Floor, Soham Mansion M.G. Road, Secunderabad-500003, Civil And Rev. District Hyderabad A.P., Andhra Pradesh .

---- **Petitioner**

Versus

M/s Minwool Rock Fibres Ltd. S/o A Company Incorporated Under The Relevant Provisions Of The Companies Act. 1956, Having Its Registered Office At Village-Rewagahan, Post- Pendri, Civil And Rev. District Rajnandgaon Chhattisgarh , Chhattisgarh.

---- **Respondent**

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|--------------------|---|----------------------------------|
| For the Applicant  | : | Shri Mayank Chandrakar, Advocate |
| For the Respondent | : | Shri Saurabh Dangi, Advocate     |

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**Hon'ble Shri Justice Sharad Kumar Gupta**

**Order On Board****17/08/2020**

1. Heard on I.A. No.5 application for withdrawal of Company Petition.
2. As per I.A. No.5 during the pendency of the petition both the parties had settled their account and came up with an amicable settlement which persuaded the petitioner to withdraw the present petition. He does not want to pursue the petition and seeks liberty of this Court to withdraw the same.
3. Counsel for respondent submitted that he has no objection.
4. As per the provision of Rule 100 (1) of Companies (Court) Rules, 1959 (for short '*the Rules*') a petition for winding-up shall not be withdrawn after presentation without the leave of the Court.
5. As per the provision of Rule 100 (2) of the Rules if the petition for winding-up has been advertised in accordance with the provision of Rule 99, an application for leave to withdraw the petition shall not be heard at any time before the date fixed in the advertisement for hearing of the petition.
6. In the case in hand the petition for winding-up was advertised in accordance with the provision of Rule 99 and date was fixed for hearing on 29<sup>th</sup> June 2016. That date has been passed.

7. Looking to the provision of Rule 100 (1) and (2) of the Rules, I.A. No.5 is allowed and petitioner is permitted to withdraw the petition.
8. The said petition is disposed of accordingly.

**Sd/-**  
**(Sharad Kumar Gupta)**  
Judge

Kamde