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* IN THE HIGH COURT OF DELHI AT NEW DELHI

\+ **CO.PET. No. 15/2020**

IN THE MATTER OF

INAM URBANLINE CONSTRUCTIONS PRIVATE LIMITED
.....Petitioner

Through: Ms. Ruchi Sindhwani, Sr. Standing Counsel and Ms. Megha Bharara, Adv. for Official Liquidator

CORAM:
HON'BLE MR. JUSTICE C. HARI SHANKAR

O R D E R

% **11.08.2020**

(Video-Conferencing)

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

2. The said Company was incorporated under the provisions of the Companies Act, 1956 with the name "Inam Urbanline Constructions Private Limited" with Registrar of Companies, NCT of Delhi & Haryana at Delhi on 1st April, 2004, *vide* CIN No. U45201DL2004PTC125572 with an authorized capital of ₹80,00,000

(Rupees Eighty Lacs only) divided into 8,00,000 (Eight Lacs) equity share of ₹10/- (Rupees Ten) each. The Paid-up Capital of the Company as per the Master Data available on the portal of MCA21 is ₹4,50,000/- (Rupees Four Lacs and Fifty Thousand only).

3. The registered office of the company is situated within the territory of NCT of Delhi at LGF-1, W-19, Greater Kailash-II, New Delhi – 110048.

4. The first promoters at the time of incorporation were Ms. Neeru Mittal and Mr. Satish Nath Laroiya.

5. At the time of Members Voluntary Winding up of the petitioner company, there were three shareholders. The directors at the time of Members Voluntary Winding-up were Mr. Ajay Kumar Mittal, Mr. Satish Nath Laroiya and Mr. Girish Kumar Jindia. The financial position of the company is disclosed in the audited balance sheets ending as on 31st March, 2013 and 31st March, 2014 which are also annexed to the petition.

6. The prescribed Form No. 149 for the Declaration of Solvency was filed with the Registrar of Companies on 25th September, 2014 *vide* SRN No. C22038277.

7. Pursuant to the provisions of Section 484 (1) of the Act and other applicable provisions of the Act, the Extra Ordinary General Meeting of the Members of said company was held on 08.10.2014 and a special resolution was passed whereby M/s Dhingra & Juneja, Chartered Accountants, were appointed as Voluntary Liquidator of the

Company. In this regard Form MGT-14 was filed with the Registrar of Companies.

8. That as per the requirement of Section 485 of the Act, the Company has published a notification in newspapers namely "Business Standard" (English) and (Hindi) on 11th November, 2014 and in "The Official Gazette" on 6th December, 2014.

9. 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.

10. Further, pursuant to the provisions of Section 497 of the Act, the Liquidator has also published Form No.155 in the newspapers namely 'Business Standard' (English) & (Hindi) on 17th April, 2015 and in "Official Gazette" (English & Hindi) on 9th May, 2015 for the final meeting to be held on 22nd May, 2015.

11. The Final Meeting of the said company was held on 22nd May, 2015 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 3rd November, 2014 to 15th April, 2015 with the Registrar of Companies, NCT of Delhi & Haryana in Form 156 *vide* SRN: C51880086 dated 7th May, 2015 & Form 157 *vide* SRN: C54209770 dated 3rd June, 2015 and with the Official Liquidator on 28th May, 2015.

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

13. The Voluntary Liquidator Mr. Vikas Dhingra Partner of M/s Dhingra & Juneja, Chartered Accountants and Directors Mr. Girish Kumar Jindia, Sh. Ajay Kumar Mittal & Sh. Satish Nath Laroiya, have filed Affidavits & Indemnity Bonds dated 27th February, 2020 respectively undertaking *"a) to pay and settle all lawful claims arising in future after the winding-up of the company. b). To indemnify any person for any losses that may arise pursuant to the winding up of the company. c) To settle all lawful claims and liabilities relating to the company which have not come to our notice up to this stage, even after winding up of the Company in terms of provisions of the Income Tax Act, 1961 and any other law to the extend applicable to the company".*

14. 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.

15. 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. 1st July, 2020.

16. 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.

17. The petition is accordingly disposed of.

C. HARI SHANKAR, J

AUGUST 11, 2020