

Comp.A.No.51 of 2021
in
Comp.A.No.162 of 2005
in
C.P.No.236 of 1997

M.SUNDAR, J

When the captioned application was taken up, Mr.M.V.V.N.Sivanthy learned counsel of M/s.Fox Mandal and Associates (Law Firm) is before me.

2. Prayer in the captioned application is for a direction to the 'Official Liquidator attached to this Court' [hereinafter 'OL' for the sake of convenience] to execute rectification deed qua a sale deed dated 07.03.2006 registered as Document No.707 of 2006 in the Sub-Registrar Office, Madhuranthagam which in turn was pursuant to an order dated 11.08.2005 made in Company Application No.162 of 2005 in C.P.No.236 of 1997.

3. Be that as it may, learned counsel for OL submits that thereafter, much water has flown under the bridge and the company, which went into liquidation i.e., 'Sigma Granites Ltd.,' [hereinafter 'said company' for the sake of convenience] itself has been dissolved vide order dated 04.09.2020 made by this Company Court in Company Application

No.175 of 2020 and obviously main Company Petition namely, C.P.No.236 of 1997 [hereinafter 'main CP' for the sake of convenience]. To be noted, main CP is at the instance of an order of the 'Board for Industrial and Financial Reconstruction' (BIFR).

4. Faced with the above situation, learned counsel sought leave to withdraw the captioned application but made a plea to preserve the rights of applicant to take out a suitable application with same/similar prayer in accordance with law arraying those who may be competent to execute rectification deed. This will not prevent OL also being shown as a formal party though OL stands discharged vide dissolution of company on 04.09.2020.

5. Request is acceded to. Captioned application is dismissed as withdrawn albeit preserving the rights of applicant in the aforesaid manner.

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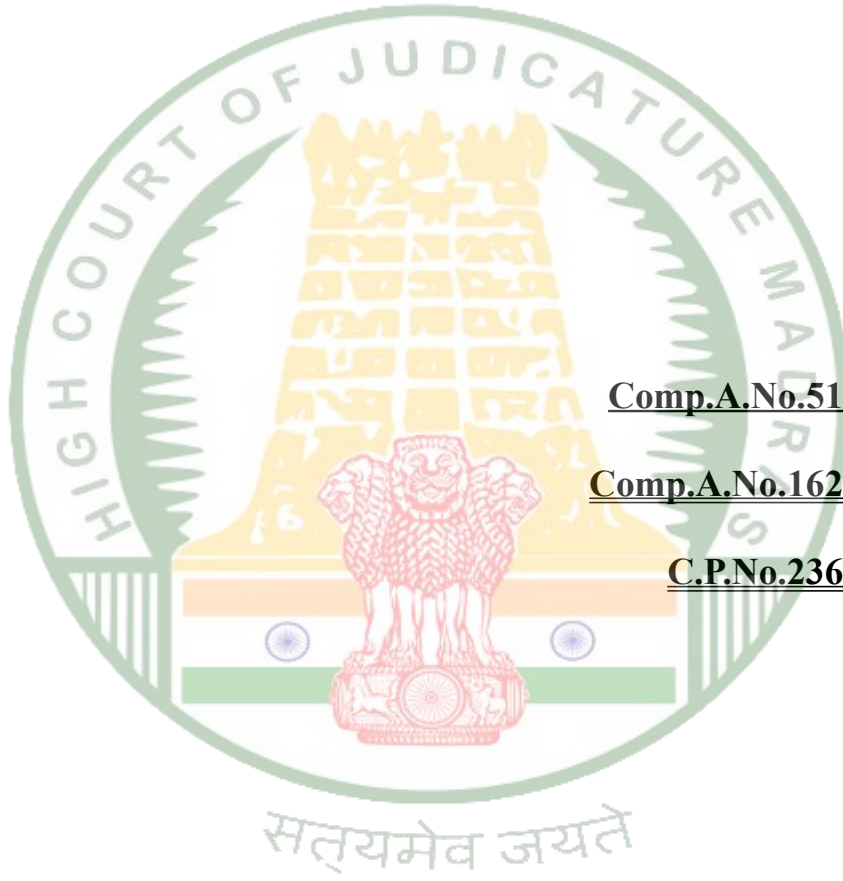
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