



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORIGINAL JURISDICTION)

FRIDAY, THE 23rd DAY OF JULY, 2021

THE HON'BLE MR.JUSTICE R.SUBRAMANIAN

Comp.Petn. No.370 of 2016

and

Comp.A.Nos.976 & 977/2016 & 411/2019

In the matter of Section 433
and 434 of the Companies Act
1956

and

In the matter of Winding up of
VASAN HEALTHCARE PVT LTD
a Company incorporated under the
Companies Act, 1956 having its
registered office at No.70,
Dr. Radhakrishnan Salai,
Westminister Complex,
Mylapore, Chennai

Sun Pharma Laboratories Ltd.,
A company registered under the Companies Act
1956, having its registered office at Sun House,
Plot No.201,B/I, Western Express Highway,
Goregaon(East), Mumbai 400 063
represented by its authorized signatory
Mrs. Radha Kumar

... Petitioner in CP.No.370/2016
& Applicant in (Comp.A.Nos.976
& 977/2016 & 411/2019)

-VS-



Vasan Healthcare Pvt Ltd.,
A Company incorporated under the
Companies Act, 1956 having its
registered office at
No.70, Dr.Radhakrishnan Salai,
Westminster Complex, Mylapore,
Chennai

...Respondent in CP.No.370/2016
& Applicant in (Comp.A.Nos.976
& 977/2016 & 411/2019)

Comp.Petn. No.370 of 2016

This Company Petition praying that this Hon'ble Court be pleased to :

(a) Winding up of the Respondent Company, namely VASAN HEALTHCARE PVT. LTD a company incorporated under the provisions of the Companies Act, 1956 and having its registered office at No.70, Dr.Radhakrishnan Salai, Westminster Complex, Mylapore, Chennai and Tamil Nadu 600 004.

(b). To appoint an Official Liquidator, High Court, Chennai, be appointed as Provisional Liquidator of the said Respondent Company, VASAN HEALTHCARE PVT LTD., a Company incorporated under the provisions of the Companies Act, 1956 on 24th January,1986. The Respondent has their address having its Registered office at No.70, Dr.Radhakrishnan Salai, Westminster Complex, Mylapore, Chennai, Tamil Nadu 600 004, with all powers under the Companies Act, 1956 to take the properties and assets of the said Respondent Company.

(c) for costs of this Petition.

Comp.A.No.976 of 2016 :

This Company Application praying that this Hon'ble Court be pleased to appoint a Provisional Liquidator of the said Respondent Company to

**Comp.A.No.977 of 2016 :**

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This Company Application praying that this Hon'ble Court be pleased to pass an interim injunction restraining the Respondent Company, its servants and agents from, in any manner, alienating, disposing off or parting with, possession of, altering, encumbering or creating third parties rights, title or interest of any nature whatsoever or in any manner dealing with its movable as well as immovable assets or any part thereof.

Comp.A.No.411 of 2019 :

This Company Application praying that this Hon'ble Court be pleased to transfer the Company Petition No.370/2016 to the National Company law tribunal for the continuation of the proceeding.

This Company Petition along with Company Applications coming on this day before this Court for hearing in the presence of Mr. A.Ramesh Kumar advocate for the petitioner/applicant in Comp.A.Nos.976 & 977/2016 & 411/2019 herein and upon reading the Judges summons and affidavit of Radha Kumar filed in Comp.A.Nos.976,977/2016 & 411/2019 , the court made the following order:

“ This Company Petition has been filed seeking winding up of the respondent Company. The Company Application in

Comp.A.No.977 of 2016 has been filed seeking interim



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injunction restraining the respondent Company from alienating, disposing off, parting with or creating any third parties rights over the movable and immovable assets of the Company. The Company Application in Comp.A.No.976 of 2016 has been filed for appointment of a Provisional Liquidator and the Company Application in Comp.A.No.411 of 2019 has been filed to transfer the Company Petition to the National Company Law Tribunal.

2. Mr.A.Ramesh Kumar, learned counsel appearing for the petitioner would submit that pending these proceedings before this Court, the Resolution Professional appointed by the National Company Law Tribunal had issued publication calling for claims. Pursuant to the same, the petitioner herein had alleged its claim with the Resolution Professional and the same is also admitted by him. Therefore, nothing survives in this Company Petition and these proceedings can be closed leaving it open to the petitioner to prosecute the claim before the Resolution Professional appointed by the National Company Law Tribunal.



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*3. Hence, this Company Petition is **closed**, leaving it open to the petitioner to prosecute the claim before the Resolution Professional appointed by the National Company Law Tribunal. No costs”*

*WITNESS, THE HON'BLE THE MR.JUSTICE SANJIB BANERJEE,
CHIEF JUSTICE OF MADRAS HIGH COURT, AS AFORESAID THIS
THE 23RD DAY OF JULY 2021.*

Sd/-

JOINT REGISTRAR(O.S)(I/C).

//CERTIFIED TO BE A TRUE COPY//

DATED THIS THE DAY OF 2022

COURT OFFICER.

From 25th September 2008 the Registry is issuing certified copies of the Orders/Judgments/Decree in this format.



R.s/30.12.2021

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**Comp.Petn. No.370 of 2016
and
Comp.A.Nos.976 & 977/2016
& 411/2019**

ORDER DATED:23.07.2021

THE HON'BLE MR.JUSTICE
R.SUBRAMANIAN

FOR APPROVAL ON: 30/12/2021

APPROVED ON: 03/01/2022

COPY TO:

1. THE OFFICIAL LIQUIDATOR,
HIGH COURT, MADRAS.

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