

\$~3 (company)

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

+ **CO.PET. 08/2021**

IN THE MATTER OF:

AUJAN BEVERAGES PRIVATE LIMITED (IN CREDITORS'
VOL. LIQN.) ...Petitioner

Through: Mr. D. Bhattacharya, Advocate,
Standing Counsel for the Official Liquidator

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

ORDER (ORAL)

% **18.03.2021**

1. This is a petition filed under Section 509(6) of the Companies Act, 1956 filed by the Official Liquidator for voluntary winding up of AUJAN BEVERAGES PRIVATE LIMITED (IN CREDITORS' VOL. LIQN.).

2. Ld. Counsel for the Official Liquidator submitted that as per the papers lodged with the Official Liquidator by the appointed Voluntary Liquidator, Ms. Kruti Desai, the Company passed a special resolution in its Extraordinary General Meeting held on 21st February, 2014 for voluntary winding up of the Company. Consequently, the concerned Registrar of Companies (ROC) was informed regarding the voluntary winding up and the appointment of the Voluntary Liquidator, and publications/ citations were brought out in this regard in the Official Gazette on 22nd March, 2014 as well as in newspaper namely in "The

Hindu” (English) and “Rashtriya Sahara” (Hindi) on 20th January, 2014 along with Memorandum of Association and Articles of Association with the Office of Official Liquidator.

3. Pursuant to the above, the said Liquidator is stated to have undertaken necessary steps, and as per the Liquidator the affairs were wound up completely by 31st May, 2017. Consequently, in the Final Extraordinary General Meeting held on 9th June, 2017, the Liquidator is stated to have sought the approval of the accounts of winding up. The Liquidator also informed the concerned Registrar of Companies and the Official Liquidator in this respect.

4. Later, the Official Liquidator also received “No Objection Certificates” from the Income Tax Department and Registrar of Companies. The Official Liquidator scrutinized the records submitted by the Voluntary Liquidator and has recorded satisfaction that necessary compliances of Section 509 of the Companies Act, 1956 and the other relevant provisions of the Companies Act, 1956 have been made and that the affairs of the Company have not been conducted in a manner prejudicial to the interest of its members. Hence, as per the Official liquidator, in these circumstances, has sought winding up and final dissolution of the Company from the date of filing of the petition i.e. 10th March, 2021.

5. Heard the Ld. Counsel.

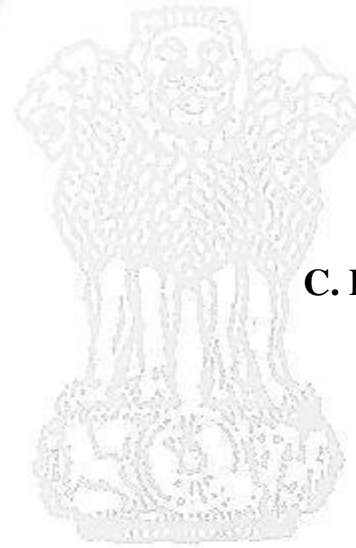
6. In view of the reasons stated in the petition and the satisfaction recorded by the Official Liquidator, this petition is allowed and the Company is wound up and shall be deemed to be dissolved with effect from the date of the filing of the petition i.e. 10th March, 2021.

7. Copy of the order be filed by the Official Liquidator with the Registrar of Companies as per rules.

8. The petition is disposed of.

MARCH 18, 2021/kr

C. HARI SHANKAR, J.



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