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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CO.PET. 287/2007 & CO. APPL. 86/2021**

UPENDRA KISHAN KACHRU & ANR. Petitioners

Through:

versus

M/S. SHWETA TOURS AND TRAVELS PVT.LTD.

..... Respondent

Through: **Mr. Rishi Manchanda, Adv.**
Standing Counsel for OL

CORAM:

HON'BLE MR. JUSTICE C.HARI SHANKAR

ORDER

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17.02.2021

CO. APPL. 86/2021(for dissolution of the company) &
CO.PET. 287/2007

1. This is the application, filed by the Official Liquidator under Section 481 of the Companies Act, 1956, read with Rule 9 of the Companies (Court) Rules, 1959, *inter alia* praying that the subject company, i.e. Shweta Tour & Travels Pvt. Ltd., be dissolved and the Official Liquidator, Delhi, be discharged as its Liquidator.
2. This Court, *vide* order dated 24th January, 2013, appointed the Official Liquidator attached to this Court, as the provisional liquidator of the subject Company, i.e. M/s. Shweta Tours & Travels Pvt. Ltd. [hereinafter referred to as “the Company (In Liqn.)”]. Subsequently, *vide* order dated 03rd April, 2014, final winding up of the Company (In

Liqn.) was ordered and the Official Liquidator was appointed as the Liquidator of the Company (In Liqn.), with directions to take over the assets, stocks and records of the Company (In Liqn.).

3. It is stated that in compliance of this Court's order dated 03rd April, 2014, the citation of the winding up of the Company (In Liqn.) was published on 17th May, 2014, in the newspapers namely, "Statesman" (English edition) and "Jansatta" (Hindi edition) as well as in "Delhi Gazette".

4. It is also stated that as per the affidavit in support of the Statement of Affairs under Section 454 of the Companies Act, 1956, as filed by the Ex-Directors, there were no funds in the Company (In Prov. Liqn.) and the fund position of the Company (in liqn.) as on 31.01.2021 is Rs.(-)4,996/-. Further, as per the Balance Sheet of the Company (In Liqn.) for the period from 31st March, 2010 to 31st March, 2011, the Company (In Liqn.) had no immovable property in its name. As such, the claims for the Company (In Liqn.) were not invited by the office of the Official Liquidator.

5. It is stated by the Learned Standing Counsel for the Official Liquidator that the Official Liquidator has no further assets either moveable or immoveable from which any further money could be realized for the Company (In Liqn.). Since there is no probability of realizing any further funds and no useful purpose would be served by keeping this matter pending, accordingly, it is being prayed by way of the present application that the Company (In Liqn.), i.e. M/s. Shweta

Tours & Travels Pvt Ltd. be dissolved under Section 481 (1) of the Companies Act, 1956.

6. It is further prayed that in that eventuality, the Official Liquidator be discharged from the duties as the Liquidator of the Company and the Official Liquidator be permitted to close the books of accounts of the Company (In Liqn.) maintained by the office of the Official Liquidator.
7. Thus, having regard to the aforesaid facts and circumstances and the record of the case, the liquidation proceedings deserve to be brought to an end. Consequently, the prayer made in the application is allowed and the Company, i.e. Shweta Tours & Travels Pvt. Ltd. is dissolved.
8. Copy of the order be communicated by the Official Liquidator to the Registrar of Companies within 30 days.
9. The petition is disposed of in the aforesaid terms.

C.HARI SHANKAR, J

FEBRUARY 17, 2021

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