



Comp.P.No.267 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.01.2022

CORAM:

THE HON'BLE MR. JUSTICE SENTHILKUMAR RAMAMOORTHY

Company Petition No.267 of 2016

Ms.Vinitha Associates Ltd.,
Rep.by its Managing Director,
Mr.R.Sumerchand Bafina
Authorised by Board Resolution dated 08.07.2015
No.8/1, Cenotaph Road, 1st lane,
Teynampet, Chennai 600 018. .. Petitioner

/versus/

M/s Carrieall Car Private Ltd.,
Rep.by its Managing Director,
No.347, Arcot Road, 3rd Floor,
Kodambakkam, Chennai 600 024. .. Respondent

Prayer: Company Petition has been filed for winding up under Sections 433(e), 434(1)(a) and 439 (1)(b) of the Companies Act read with Rule 95 of the Company Court Rules praying to:

(1)that the respondent company viz., Carrieall Car Private Limited, having its registered office at No.347, Arcot Road, 3rd Floor Kodambakkam, Chennai 600 024 be wound-up and under the directions of this Hon'ble Court under the provisions of the Companies Act, 1956.

(2)that this Hon'ble Court may be pleased to appoint the Official Liquidator, High Court or some other fit and proper person as Liquidator of the respondent company and to conduct its affair in the course of



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winding up and to distribute its assets in accordance with the law.

(3)for costs of the petition and

(4)for such further or other reliefs as the nature and circumstances of the case may require.

For Petitioner :Mr.Aruna Ganesh

For Respondent :Mr.C.V.Kumar
Mr.Bhavishetty Sridhar
Deputy Official Liquidator

ORDER

(The case has been heard through Video Conferencing)

The petitioning creditor and the respondent have entered into a settlement. In terms thereof, all amounts due and payable except a sum of Rs.18,000/- has been paid by the respondent to the petitioner. The respondent has agreed to pay the remaining sum of Rs.18,000/- within four weeks from date.

2.By order dated 20.12.2016 in C.P.No.267 of 2016, this Court appointed the Official Liquidator as the Provisional Liquidator. However, C.A.No.304 of 2017 was filed seeking a stay of the appointment of the Provisional Liquidator. In such application, by order dated 07.04.2017,



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the Official Liquidator was directed to defer further proceedings in view of the offer of settlement by the respondent to the petitioner. Pursuant to such order, the Provisional Liquidator did not take charge of the assets and affairs of the respondent.

3.In the above facts and circumstances, the petitioner is granted leave to withdraw the petition. As a consequence, C.P.No.267 of 2016 stands dismissed as withdrawn. As a corollary, the Official Liquidator stands discharged as Provisional Liquidator of M/s Carrieall Car Private Limited.

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Index:yes/no
Speaking order/non speaking order
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SENTHILKUMAR RAMAMOORTHY J.



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