

**7 IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH**

**CP-152-2016 (O&M)**

Date of Decision: 29.03.2022

M/s R. J. Agro Industries

... Petitioner

Versus

M/s Richi Rich Agro Foods Private Limited

... Respondent

**CORAM : HON'BLE MR. JUSTICE ANIL KSHETARPAL**

Present : Mr. Anubhav Bansal, Advocate for  
Mr. Arun Bansal, Advocate for the petitioner.

Mr. Satyaveer Singh, Advocate for the respondent.

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**ANIL KSHETARPAL, J.(Oral)**

This is a petition filed under Section 433, 434, 439 of the Companies Act, 1956, with a prayer to order winding up of the respondent-Company on account of inability to pay the debts. The petitioner claims that the respondent-Company, after having purchased the goods worth Rs. 4,30,737/- has not paid the amount while taking a stand in the written statement that the goods were of poor quality. Learned counsel representing the respondent has submitted that they are prepared to pay the amount.

In order to show his bona fides, the respondent has tendered a demand draft of Rs. 1,50,000/- drawn in favour of the petitioner towards the part payment of the amount. It has been submitted that the remaining payment of Rs. 2,80,737/- shall be paid within a period of six weeks, from today.

Keeping in view the aforesaid stand, the Company petition is disposed of. It is made clear that if the respondent-Company commits

a default in the payment of the amount, the Company petition shall be deemed to have been admitted, without granting any further opportunity. The petitioner shall be at liberty to file an application for revival in case of default by the respondent.

Disposed of.

All the pending miscellaneous applications, if any, are also disposed of.

29.03.2022  
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(ANIL KSHETARPAL)  
JUDGE

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|---------------------------|--------|
| Whether reasoned/speaking | Yes/No |
| Whether reportable        | Yes/No |