

OD-8

ORDER SHEET
IN THE HIGH COURT AT CALCUTTA
Ordinary Original Civil Jurisdiction
ORIGINAL SIDE

CS/100/2012
IA NO: GA/1/2012
(Old No:GA/711/2012)

HI-TECH ENGINEERING CORPORATION INDIA PVT. LTD.
VS
CALSTAR SPONGE LTD. & ANR.

BEFORE:
The Hon'ble JUSTICE KRISHNA RAO
Date: 14TH March, 2023.

Appearance:
Ms. Vaibhavi Pandey, Adv.
..for the respondent.

The Court: Counsel for the defendant is present.

None appears on behalf of the plaintiff.

Counsel for the defendant has handed over the copy of the order passed by the National Company Law Tribunal, Mumbai Bench, Court II in IA No. 830 of 2021 in TCP No. 908/IBC/NCLT/MB/MAH/2017 dated 23rd December, 2021 wherein the following order is passed:

ORDER

The Application be and the same is allowed, as follows:

- i. Hitech Engineering Corporation India Private Limited, the Corporate Debtor, is hereby dissolved with immediate effect;

- ii. The Registry is directed to forward a certified copy of this order to the Registrar of Companies, Mumbai within a period of seven days;
- iii. The Liquidator is discharged.
- iv. TCP No. 908/IBC/NCLT/MB/MAH/2017 also stands closed.

Counsel for the plaintiff submits that as the plaintiff company is dissolved by the order of the learned Tribunal and as such the suit is to be dismissed.

Considering the prayer made by the Counsel for the defendant, perused the order dated 23rd December, 2021 passed by the learned Tribunal this Court finds that no purpose would be served to keep the suit pending.

Accordingly, CS No. 100 of 2012 is dismissed.

Interim order, if any, stands vacated.

Interlocutory application, if any, is also stand dismissed.

The copy of the order dated 23rd December, 2021 be kept with the record.

As the suit has been dismissed, the defendant is liberty to withdraw the bank account.

(KRISHNA RAO, J.)