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Company Petition No.131 of 2014

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.08.2023

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

Company Petition No.131 of 2014

M/s. Balaji Knit Fashions,
Rep. by its Proprietor,
K.S. Senthilkumar,
No.54/174, Sri Venkateswara 2nd Street,
Valayangadu, Gandhi Nagar Post,
Tiruppur – 641 603.

... Petitioner

Vs.

M/s. Pinky Enterprises Private Limited,
Rep. by its Director,
Giorgio Borzino,
No.67, Saravanalayaom Sakthi Nagar,
Ramanathapuram,
Coimbatore – 641 045.

... Respondent

Prayer : Company Petition filed under Sections 433(E)(F), 434(I)(A), 439(I)(B) of the Companies Act, 1956 r/w. Rules 95 of the Companies Act (Court Rules) 1956, praying to wind up the respondent Company M/s. Pinky Enterprises Private Limited, No.67, Saravanalayaom Sakthi Nagar, Ramanathapuram, Coimbatore – 641 045, under the provisions of the Companies Act, 1956, to appoint an Official Liquidator, Madras as the Liquidator of the Company and to pay the cost of this petition to the petitioner.



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For petitioner : No appearance
For respondent : Mr.Rajaji,
for M/s.Iyer & Thomas

ORDER

It is brought to the notice of this Court by the learned counsel for the respondent that pursuant to the admission of this Company Petition, an appeal was filed by the respondent in O.S.A.No.148 of 2018. He would submit that in the said appeal, a compromise has been entered into between the petitioner and the respondent and in terms of the said compromise, O.S.A.No.148 of 2018 was disposed of. A copy of the compromise judgment dated 17.03.2021 has also been placed on record by the learned counsel before this Court.

2. Since the parties have compromised the dispute amongst themselves, which has been recorded by the judgment of this Court dated 17.03.2021 in O.S.A.No.148 of 2018, nothing survives for adjudication in this Company Petition.



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3. Recording the submission of the learned counsel for the respondent as well as the judgment of this Court dated 17.03.2021 passed in O.S.A.No.148 of 2018, this Company Petition is dismissed as infructuous.

07.08.2023

Index: Yes/ No
Speaking/Non-speaking order
Internet: Yes/No

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To

Giorgio Borzino,
Director,
M/s. Pinky Enterprises Private Limited,
No.67, Saravanalayaom Sakthi Nagar,
Ramanathapuram,
Coimbatore – 641 045.



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ABDUL QUDDHOSE, J.

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