

**Unknown Vs. Unknown**

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**SooperKanoon Citation :** [sooperkanoon.com/1066070](http://sooperkanoon.com/1066070)

**Court :** Punjab and Haryana

**Decided On :** Dec-13-2012

**Appellant :** Unknown

**Respondent :** Unknown

**Judgement :**

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH \*\*\*\* CA-729-730-2012 in CP-187-1999 Date of Decision:

13. 12.2012 \*\*\*\* In the matter of :- M/S.Ankur Forest and Project Development India LTD.\*\*\*\* CORAM : HONBLE MR.JUSTICE SURYA KANT \*\*\*\* 1.

Whether Reporters of local papers may be allowed to see the judgment?.

2. To be referred to the Reporters or not?.

3. Whether the judgment should be reported in the Digest?.

\*\*\*\* Present: Mr.Nitin Jain, Advocate with Dy.OL \*\*\*\* SURYA KANT, KANT, J.

(ORAL) CA-729-2012 Allowed as prayed for.

CA-730-2012 (1).The Official Liquidator attached to this Court has moved this application seeking dissolution of the company namely M/S.Ankur Forest and Project Development (I) LTD.- the company-in-liquidation under Section 481 of the Companies Act, 1956 read with Rules 9, 281, 282 & 283 of the Company (Courts)

Rules, 1959.

(2).Facts may be noticed briefly.

The above named company was ordered to be wound up by this Court vide order dated 05.07.2001 passed in CP No.187 of 1999 and the Official Liquidator attached to this Court was appointed as its Liquidator with a direction to take possession of the assets and records of the company-in-liquidation.

The Official Liquidator inspected the record of Registrar of the CA No.729 & 730 of 2012 -2- Companies.

The registered office of the Company was situated at SCO 805.2nd Floor, Shivalik Enclave, Chandigarh-Kalka Road, Manimajra, Chandigarh.

On the date of passing of the order of winding up i.e.on 05.07.2001, following persons were its Directors:- a.

Tarsem Saini s/o Sh.

Piyare Lal, Vill.

Birmangoli, PO Lakhmari, Distt.

Kurukshetra, Haryana; b.

Hemant Sharma s/o Sh.

KK Sharma, Vill.

Mullana, Distt.

Ambala; c.

ML Saini s/o Sh.

Ram Swaroop, Vill.

Gharoli, PO Shahzadpur, Distt.

Ambala; d.

Rajbir Singh s/o Sohan Lal, Vill.

Rachhmeri, PO Ganeshpur, Distt.

Ambala; e.

Jagjeet Singh s/o Sh.

Des Raj, Vill.

Rachhmeri, PO Ganeshpur, Distt.

Ambala.

(3).Pursuant to the show cause notice(s) issued on 11.03.2002 under Section 454(5) of the Act, the ex-Directors of the Company-in- liquidation filed incomplete and unauthenticated Statement of Affairs which was never rectified.

The Official Liquidator filed CP No.376 of 2002 and the same was disposed of by this Court on 29.04.2010 imposing penalty of Rs.25000/- on each respondent except respondent No.4 (Hemant Sharma) who was declared a proclaimed offender.

The penalty amount has been deposited by the said respondents though with the intervention of the Court in CA No.353 & 355 of 2011.

CA No.729 & 730 of 2012 -3- (4).The Official Liquidator has now, on the basis of the letter dated 18.02.2009 (Annexure A5 colly).averred that since the ex-Directors of the Company-in-liquidation have settled the claims of investors for an amount of Rs.1067090/- and there remains neither any assets or debts for realization not any legal proceedings are pending, the company-in-liquidation be dissolved and the Official Liquidator be ordered to be discharged as its Liquidator.

(5).Let notice of this application inviting objections, if any, be published in the newspapers namely Amar Ujala.

(Hindi) and The Tribune.

(English) Punjab and Haryana editions.

(6).List on 15.03.2013.

13.12.2012 13.12.2012 (SURYA KANT) vishal shonkar Judge

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