

Appellant Vs. Respondent

Appellant Vs. Respondent

SooperKanoon Citation : sooperkanoon.com/1125816

Court : Kolkata

Decided On : Feb-11-2014

Judge : Nadira Patherya

Appellant : Appellant

Respondent : Respondent

Judgement :

ORDER

SHEET IN THE HIGH COURT AT CALCUTTA Original Jurisdiction CP468OF 2009 BENGAL WATERPROOF LTD.AND MALVIKA SYNTHETICS (P) LTD.CP299OF 2010 BENGAL WATERPROOF LTD.AND JET AGE FINANCE PVT.LTD.CP311of 2010 BENGAL WATERPROOF LTD.AND KLASSIC APARTMENT PVT.LTD.CP11OF2011M/S.BENGAL WATERPROOF LTD.AND M/S.VISHWA ENTERPRISE CP12of 2011 M/S.BENGAL WATERPROOF LTD.AND M/S.TIRUPATI ENTERPRISES CP14OF2011M/S.BENGAL WATERPROOF LTD.AND SAVITA BHARTIA CP158OF 2011 BENGAL WATERPROOF LTD.AND M/S.CROMPTON INDUSTRIAL & CHEMICAL Co.CP566OF 2011 BENGAL WATERPROOF LTD.AND INDRAJIT BALL CP252OF 2012 BENGAL WATERPROOF LTD.AND ANSUYA J.

DOSHI CP238OF 2013 BENGAL WATERPROOF LTD.AND JAI BOTHRA (HUF) CP257OF 2013 BENGAL WATERPROOF LTD.AND ANITA BOTHRA CP258OF

2013 BENGAL WATERPROOF LTD.AND ANUJ BOTHRA
CP331OF2013M/S.BENGAL WATERPROOF LTD.AND SMT.

PAYAL SINGHANIA CA353OF 2013 WITH CP566OF 2011 BENGAL
WATERPROOF LTD.AND MAHESH TEA CHEST CP391OF 2013 BENGAL
WATERPROOF LTD.AND HITESH BABARIA AND FAMILY, HUF CP404OF 2013
BENGAL WATERPROOF LTD.AND SHILPA BABARIA BEFORE: The Hon'ble
JUSTICE PATHERYA Date : 11th February, 2014.

Mr.Mainak Bose, Advocate for Klassic Apartment Pvt.LTD.Mr.K.Shah for Manish
Enterprises.

Mr.A.Kundu for petitioning creditor in CP238/2013,CP257/2013 & CP2582013
Mr.Tapan Coomaar Dey, Advocate with Mr.Debsumya Basak for petitioning
creditor in CP4682009.

Mr.Aniruddha Mitra for Jet Age Finance Pvt.LTD.Mr.S.Dewanji, Advocate for
petitioner In item nos.9,15 & 16.

Mr.M.S.

Tiwary petitioning creditor in CP331of 2013.

Mr.Pratap Chatterjee, Sr.Adv., Mr.D.N.

Sharma for the company.

Mr.M.S.Sarkar appears in CP5662011.

Mr.Sayan Dutta appears in item no.14.

The Court :- An order of winding up was passed on 10th February, 2014.

After the passing of such order the company through Counsel appeared and
expressed its difficulties in making such payment.

The company is desirous of proposing a scheme for payment.

It is not the intent of the Court to bring to an end a business in the State of West Bengal which in any event is very few in number.

As there are numerous petitioning credit ORS. let the proposal put forth to Court by the company through its Counsel be placed before this class of credit ORS. It is only to consider the proposal to be put forward by the company that the order dated 10th February, 2014 be stayed till 18th February, 2014.

Matters to appear in the list on 17th February, 2014 as To Be Mentioned at 2 p.m. Official Liquidator and all parties to act on a photostat signed copy of this order on the usual undertakings.

(PATHERYA, J.) pa

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