

In Re: Raval Papers Ltd.

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Court : Allahabad

Decided On : Dec-12-2001

Reported in : [2002]39SCL122(All)

Judge : Sunil Ambwani, J.

Acts : Sick Industrial Companies (Special Provisions) Act, 1985 - Sections 20 and 20(1)

Appeal No. : Company Application No. 12 of 2000

Appellant : In Re: Raval Papers Ltd.

Judgement :

Sunil Ambwani, J.

1. This company application was registered upon receipt of the opinion of the BIFR under Section 20(1) of the Sick Industrial Companies (Special Provisions) Act, 1985. Notices were issued to the company by an order dated 10-8-2001. The notices were sent by the office on 22-8-2001 fixing the date of hearing to be on 10-9-2001. The notices returned back with the endorsement that the company is lying closed dated 24-8-2001. The Court found that no one appeared for the company before the Board on the last date of hearing. In paragraph 3 of the order, the Board has mentioned that even in the last hearing on 13-7-2000 the company was not represented.

2. A perusal of the order shows that the company was declared sick by the Board on 10-8-2001 and the Punjab National Bank was appointed as operating agency. The company submitted a sketchy proposal in December, 1998 and on the hearing day 13-7-2000 the Board observed that Directors who had, promoted the company, were no longer interested or capable of running it. The PICUP, Punjab National Bank and IRBI expressed no objections for winding up of the company. The Board confirmed that the company will not be able to turn its net worth positive, and that it is just fair and in public interest to wind up the company.

3. No one has filed any objection and as such considering the opinion of the Board, the company is directed to be wound up. The Official Liquidator U.P. is appointed as Liquidator of company. He shall take over possession of assets and account of the company (in liquidation) and shall issue notice to the directors and officers of the company to file statement of affairs in accordance with the provision of the Companies Act, 1956, and shall submit a report to the Court.

4. Shri Anurag Khanna appeared for ICCUP and has no objection to winding up the company.