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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CO.PET. 536/1998**
M/S INDIAN TONERS & DEVELOPERS LTD..... Petitioner
Through

versus

M/S SAVITRI INDIA LTD. Respondent
Through Mr.H.S.Chaitali Jain, Adv. for R-1
Ms.Ruchi Sindhwani, Sr.Standing counsel for OL

CORAM:
HON'BLE MR. JUSTICE JAYANT NATH

ORDER

% **10.05.2018**
CA 2046/2014

This court in its order dated 1.3.2018 had noted the claim of the petitioner that Smt.Kusum Lata Damani and Shri Kanti Bhai Damani are creditors for a sum of Rs.12 crores of the respondent company in liquidation. Based on the defence of the said non-applicant/respondents, the following issues are framed:-

1. Whether the respondent No.1 entered into a settlement with Late Mr.Ashwani Goenka Ex.Director of respondent company in respect of the claimed amount and if so, its effect? OPR1
2. Whether there is any delay in filing the application by the applicant/official liquidator and if so, its effect? OPR1
3. Whether the SFIO Report cannot be relied upon by the respondent on account of incorrect method of investigation and findings recorded by the said SFIO regarding the claimed amount? OPR2
4. Whether the applicant/official liquidator is entitled to a direction to the respondents to pay jointly and severally a sum of Rs.12 crore belonging to the company M/s.Savitri India (P) Ltd. (in Liqn.) OPP



5. Whether the applicant/official liquidator is entitled to interest, if so, at what rate and period? OPP
6. Relief

Let the parties file their affidavit by way of evidence within six weeks from today.

List for arguments on 14.9.2018.

JAYANT NATH, J

MAY 10, 2018/n