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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CO.PET. 36/2013**
RE-M/S CATMOSS RETAIL PVT LTD

..... Petitioner

Through : Mr.Kunal Sharma, Advocate for
Official Liquidator/applicant.

versus

.....

..... Respondent

Through : None.

CORAM:
HON'BLE MR. JUSTICE YOGESH KHANNA

ORDER

% **23.08.2017**

CA No.1391/2017

By this application Official Liquidator seeks stay of the proceeding in cases under Section 138 NI Act against company under liquidation titled 'Impulse Oversease Pvt. Ltd vs Catmoss Retails Pvt.Limited (In Liqn.)' bearing cases no.13800/6086/2014, 13800/8761/2014 and 138/Ni/8763/2014 pending before Smt.Renu Solkhe, Judicial Magistrate 1st Class, Gurgaon, Haryana.

Since the provisional liquidator has been appointed in this case I do not understand how the above cases are continuing without leave of this Court. Nevertheless the learned counsel for the Official Liquidator had appeared before said Court and was directed to produce the record. It is stated that vide order dated 03.08.2017 non bailable warrants were issued against the Assistant Official Liquidator and by an order dated 11.08.2017 even a proclamation under Section 82/83 Cr PC was issued



against Dr.Ramesh Kumar, the Assistant Official Liquidator.

Let a responsible officer/ official be deputed by the Official Liquidator to take the record of the concerned company before the said Court, as is required and the said court be apprised of the provision of section 446 of the Companies Act, 1956 and in the meanwhile the orders dated 03.08.2017 and 11.08.2017 passed by the Judicial Magistrate I class Gurgaon shall remain in abeyance.

The copy of this order be served upon learned MM concerned.
The application stands disposed of.

Copy of this order be given *dasti* under signature of the Court Master.

YOGESH KHANNA, J

AUGUST 23, 2017

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