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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CO.PET. 53/2015, CA No. 239/2015**
NARINDER SINGH GILL & ANR.

..... Petitioners

Through : Mr.Anil Goel, Advocate.

versus

SARAF PROJECTS PVT. LTD

..... Respondent

Through : Mr.Anita Sahani, Advocate.

CORAM:

HON'BLE MR. JUSTICE YOGESH KHANNA

ORDER

% **27.09.2017**

One of the issues raised during the course of arguments is qua limitation. It is alleged by the learned counsel for the petitioner that respondent has acknowledged its debt vide a receipt dated 18.12.2010 and only then a statutory notice was sent to the respondent company to which no reply was ever received. Hence this company petition was filed.

The learned counsel for the respondent however submits that the acknowledgement as alleged is of year 2010, and whereas this petition was filed in the year 2014 much beyond the limitation period.

The learned counsel for the petitioner submits that the respondent company in its account till the year 2014 has shown the petitioner as one of its creditors, though the accounts have not been filed. In the circumstances, it would be appropriate if the respondent file the copies of the audited balance sheets for the year 2010-11,



2011-12, 2012-13, 2013-14 along with list of creditors as maintained by the respondent with complete details of such creditors viz their names / amount due to them. These documents shall be supported by an affidavit of managing director of the respondent within four weeks from today with an advance copy thereof to the learned counsel for petitioner.

List on 13.02.2018.

YOGESH KHANNA, J

SEPTEMBER 27, 2017

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