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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CO.PET. 8/2015**

MS. KUBER ALLOYS Petitioner

Through: Mr. Ashok Kumar Juneja and Mr.
Mithlesh Kumar Singh, Advocates

versus

M/S B.A. ALLOYS PVT. LTD. & ORS. Respondents

Through:

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

% **05.02.2016**

CA 28/2015 (Exemption)

Allowed subject to just exceptions.

CA 27/2015 (for appointment of a provisional liquidator)

The learned counsel for the petitioner says that he does not wish to press the captioned application, at this stage.

The captioned application is dismissed as not pressed.

CA 881/2015 (condonation of delay)

This is an application filed by the petitioner to seek condonation of delay of 13 days in filing the legible copies of the documents.

For the reasons given therein, the delay is condoned and the application is allowed.

CO.PET. 8/2015 and CA 26/2015 (stay)

I am informed by the learned counsel for the petitioner that respondent no.2 to 5 are the Directors of respondent no.1 company. This is an action, which is, essentially filed under Section 433 of the Companies Act, 1956. According to me, respondent no.2 to 5 need not be arrayed as parties to the present petition. Accordingly, respondent no.2 to 5 are deleted from the array of parties.

An amended memo of parties be filed within one week.

Issue notice to the respondent company.

Reply, if any, be filed within four weeks. Rejoinder thereto, if any, be filed before the next date of hearing.

The respondent company, in its reply, apart from anything else, will set out the details and location of its movable and immovable assets. Information will also be given with regard to the bank accounts and the amounts standing to their credit. The respondent company will also file its balance sheet for the previous two years.

List on 20.07.2016.

RAJIV SHAKDHER, J

FEBRUARY 05, 2016

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CO.PET. 8/2015

page 2 of 2