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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, Adv.

versus

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

..... Respondents

Through: None.

CORAM:

HON'BLE MR. JUSTICE SIDDHARTH MRIDUL

ORDER

% **18.04.2017**

CO.PET. 8/2015 & Co. Appl. No. 26/2015 (stay)

None appears on behalf of the respondent company despite service of notice. In the interest of justice, adverse orders are deferred.

However, the respondent company is directed to file its reply to the show cause notice in terms of order of this Court dated 5th February, 2016 within the extended period of four weeks from today, with an advance copy to the learned counsel for the petitioner, who may file rejoinder thereto, if any, before the next date of hearing.

In addition to the reply to the show cause notice, the Managing Director or in his absence, all the Directors of the respondent-company shall file their personal affidavits setting down the following:

- (i) All information and particulars with regard to their shareholding in the company, their involvement in the affairs of the company and the nature of steps taken by them with regard to the management of the company;
- (ii) The Profit & Loss Account and the Balance Sheets of the respondent-company for the last three years;
- (iii) The list of the bank accounts of the respondent-company;

- (iv) The names and residential addresses of the Directors and Company Secretary of the company along with their PAN and DIN numbers;
- (v) The particulars of assets held in the name of all the Directors of the respondent-company along with the dates of acquisition as well as the nature of their right, title and interest therein; to be disclosed in a sealed cover for the time being;
- (vi) The address of the registered office and the corporate or branch offices, if any, of the respondent-company;
- (vii) The location of the statutory records and books of account of the company;
- (viii) The list of immovable assets, land and building etc. of the respondent-company, along with full particulars thereof sufficient to accurately identify and locate the said assets;
- (ix) The details of location of the assets of the company and their value;
- (x) Details of the debtors and creditors of the company with their complete addresses; and
- (xi) The details of workmen/employees and any amount outstanding to them; and
- (xii) The respondent-company as well as its Directors shall disclose their connection with any other entities whether incorporated or not and the extent of their interest therein, with full particulars.

In case the said affidavits/reply are not filed for any reason, the concerned Directors, including the Managing Director, of the respondent-company shall remain personally present on the next date of hearing to enable this Court to examine them if required, on that date.

During the pendency of the present petition, the respondent-company shall not dispose of or alienate or encumber either directly or indirectly, or otherwise part with possession of any assets of the company, including movable and immovable assets, to the tune of Rs.

22,08,007/-except in the ordinary course of business and for the payment of salaries and statutory dues.

Co. Appl. No. 26/2015 stands disposed of.

List on 11th September, 2017.

SIDDHARTH MRIDUL, J

APRIL 18, 2017

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