

S U P R E M E                      C O U R T   O F   I N D I A  
R E C O R D   O F   P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Civil) No(s).3580/2011

(From the judgement and order dated 25/10/2010 in DBCSA No.2/2010 in SBCA No.44/2009 in CP No.10/1980 of The HIGH COURT OF RAJASTHAN AT JAIPUR)

PODDAR FINANCE P.LTD.

Petitioner(s)

VERSUS

OFFICIAL LIQUIDATOR OF JAIPUR SPINNING &  
WEAVING MILLS

Respondent(s)

(With appln(s) for exemption from filing c/c of the impugned judgment, permission to file additional documents, prayer for interim relief and office report)

Date: 11/03/2011

This Petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE K.S. PANICKER RADHAKRISHNAN  
HON'BLE MR. JUSTICE SWATANTER KUMAR

For Petitioner(s)

Mr. Mukul Rohtagi, Sr. Adv.  
Mr. Shyam Divan, Sr. Adv.  
Mr. E.C. Agrawala, Adv.  
Mr. Mahesh Agarwal, Adv.  
Mr. Rishi Agarwal, Adv.  
Mr. Gaurav Goel, Adv.  
Ms. Neha Agrawal, Adv.

For Respondent(s)

UPON hearing counsel the Court made the following  
O R D E R

On the question as to whether the petitioner was a contributory, we find that the Division Bench has relied on the balance sheet of the Company only to say that petitioner was not a  
...2/-

- 2 -

contributory and at the same time, it has proceeded to dispose of the matter in the alternative on the assumption that it may be a contributory.

This

issue is important from the point of view that Official Liquidator will not take the claim of the petitioner into consideration if the observation stands.

above

In the circumstances, we request the High Court to record and return a finding on the above issue after taking into consideration all the documents.

The special leave petition shall stand over for eight weeks. In the meantime, the petitioner will serve this Order on the Official Liquidator.

[ Alka Dudeja ]  
A.R.-cum-P.S.

[ Madhu Saxena ]  
Assistant Registrar