

**THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM**

**COMPANY APPLICATION No. 1141 OF 2016**

**IN**

**R.C.C. No. 13 OF 1998**

**ORDER:**

This Application has been taken out essentially seeking the following substantive reliefs:

- i) permit the Official Liquidator to declare and disburse final dividend @ 0.3215 paise in a rupee against the admitted unsecured debt, which comes to Rs.6,25,193/- to the five creditors of the company (in liquidation) as proposed in Annexure-D;
- ii) authorize the Official Liquidator to open a separate dividend account in Punjab National Bank and pay the dividend to the secured creditors out of the said account in terms of Rule 290 of the Companies (Court) Rules, 1959;
- iii) permit the Official Liquidator to dispense with the publication of notice of dividend in newspapers;
- iv) permit the Official Liquidator to send notice of dividend in Form No. 138 along Receipt to the proposed creditors; and
- v) authorize the Official Liquidator to fix the schedule for making payment and permit him to take necessary steps for disbursement of proposed dividend.

By an order dated 22.04.2009 in R.C.C.No. 13 of 1998, this Court ordered winding up of M/s Coromandel Pharmaceuticals Limited (company in liquidation) and appointed the Official Liquidator as its Liquidator.

Subsequently, by virtue of the order dated 16.09.2014 passed by this Court in Company Application No. 978 of 2014, as against the admitted amount of Rs.19,44,61,377.17 ps., a sum of Rs.98,32,967/- has been paid to the five creditors listed out in Annexure-D as the 1<sup>st</sup> dividend @ 5.05651 paise in a rupee. Now, this Application has been taken out seeking to disburse Rs.6,25,193/- as the 2<sup>nd</sup> and final dividend at 0.3215 paise in a rupee to the creditors.

Sri M. Anil Kumar, learned counsel appearing for the Official Liquidator submits that as of now, Rs.6,34,089/- is

available with the Official Liquidator and if the abovesaid amount is distributed to the creditors, according to their entitlement, only a small sum of about Rs.8,000/- will be left and that there being no other assets available, the company under liquidation may be directed to be dissolved.

Perused the material on record. Taking into account and consideration the submission made by the learned counsel for the Official Liquidator, as the amount available being only Rs.6,25,193/- and all other claims having been adjudicated, the Official Liquidator is permitted to disburse the final dividend amount to the creditors and shall take necessary steps for dissolution of the company.

With this, the Company Application is ordered in all respects. No costs.

**CHALLA KODANDA RAM, J**

08<sup>th</sup> September 2016

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