

Lesson 9
WINDING-UP BY TRIBUNAL
Case Laws

SR No.	Case Laws	Topic	Takeaway
1.	Mathew Philip v. Malayalam Plantation LTD (HC)	dissolution	<p>There are three contingencies for dissolution of company:</p> <ol style="list-style-type: none"> 1. When company has been completely wound-up. 2. When the court is of the opinion that liquidator cannot proceed with the winding-up of company for want of funds and assets 3. 3. When the court is of the opinion that liquidators cannot proceed with the winding-up for any other reason.
2.	Indiabulls Housing Finance Ltd. Vs. Shree Ram Urban Infrastructure Ltd. (NCLT)	Winding up	<p>Since the Bombay High Court had already ordered winding-up of corporate debtor and the same was initiated, CIRP cannot be initiated against the corporate debtor.</p>
3.	Amar Remedies Limited (NCLT)	Winding up	<p>NCLT rejected the application filed under section 10 and imposed penalty as it was suppressing the material fact that liquidation order had been passed in a winding-up petition against the corporate debtor.</p>