

paid up and issued capital of the company is Rs. 598,600,000/ divided into 59,860,000 shares of Rs. 10 each. It is amply proved that the respondent company is being used for fraudulent purposes and is being managed and run by a person who committed fraud with general public. The induction of the fictitious/ non existing shares in Central Depository System by making false declaration must have certainly caused serious loss to the general public and investors in Stock Exchange and it is a fit case of winding up of respondent company on the grounds appearing in sub-section (f) (i) (iv) & (v) of Section 305 of the Companies Ordinance.

In view of the above discussion the petitioner has made out a fit case for winding up the Company on the grounds of:

- a. The respondent company has made default in holding seven (7) Consecutive Annual General Meetings AGMs and is liable to be wound up under clause (b) of Section 305 of the Ordinance.
- b. The respondent company has suspended its business for the last several years and is liable to be wound up under clause (c) of Section 305 of the ordinance.



The substratum of the respondent company has disappeared and it is just equitable to wind up the company, in terms of clause (h) of Section 305 of the ordinance.

The respondent company is being used for fraudulent purposes and is being managed and run by a person who have committed fraud with general public and it is just equitable to wind up the company within the meaning of sub-section (f) (i) (iv) & (v) of Section 305 of the Companies Ordinance.

The petition is allowed with costs and the respondent company is ordered to be wound up. The Nazir is appointed as Liquidator of the respondent company in terms of Companies Ordinance, 1984.

1&2. In view of the order passed hereinabove, the listed applications have become infructuous and are accordingly dismissed.

M. Farhat H. Khan
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 JUDGE
 02/11/2009