

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMPANY APPLICATION NO. 128 OF 2015
IN
COMPANY PETITION NO. 183 OF 2010

M/s. Control Print (India) Limited ... Applicant

IN THE MATTER BETWEEN :

BIFR ... Petitioner

Versus

The OL of M/s. BIL Industries Limited ... Respondent

Mr. D.V. Deokar a/w. Mr. Subodh Joshi, Mr. P. Modi i/b. Parimal K. Shroff
and Company for the Applicant.

Ms. Yogini Chauhan, Assistant OL, present.

CORAM : S.J. KATHAWALLA, J.
DATED : 27TH MARCH, 2015

P.C.

1. The above Application is filed for the following reliefs :

“(a) that leave under Section 446 of the Companies Act, 1956 be granted to the Applicant to proceed with Summary Suit No. 3128 of 1999 originally in this Hon'ble Court on 30th March, 1999 which is now transferred to Bombay City Civil Court and renumbered as Summary Suit No. 8742 of 1999 filed by the Applicant against the BIL Industries Limited (now in

liquidation) through the Respondent herein”.

2. Admittedly, the Company (in liquidation) is the only Defendant in Summary Suit No.8742 of 1999. The Applicant is an unsecured creditor of the Company (in liquidation). In view thereof leave as sought is not granted. However, the Official Liquidator shall adjudicate the claim of the Applicant within a period of 12 weeks from the date of receipt of the claim from the Applicant.

3. The above Application is accordingly disposed of.

(S.J. KATHAWALLA, J.)