

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY****ORDINARY ORIGINAL CIVIL JURISDICTION****COMPANY APPLICATION NO. 646 OF 2015  
IN  
COMPANY PETITION NO. 57 OF 2012**

Agilent Technologies Singapore (Sales) Pte.Ltd. ...Petitioner / Applicant  
vs.  
Ashco Niulab Industries Ltd. ...Respondent

Ms.Kathleen Lobo with Ms.Aastha Arora i/b. Khaitan & Co. for Applicant.

**CORAM : S.C. GUPTE, J.**

**21 OCTOBER 2015**

**P.C. :**

The company application seeks an extension of the returnable date in a company petition, which has stood revived and which stands admitted under a self operative order passed by this Court on 3 August 2012. By this order, the Respondent company's agreement to pay the Petitioner's dues in instalments was recorded. The order provided that in the event of a default in payment of any of these instalments, the company petition would stand revived and admitted without reference to this Court. The Respondent has committed a default in payment of the instalments. The company petition has, accordingly, stood revived and admitted. The Applicant seeks extension of the returnable date, which was originally scheduled at the end of six weeks from the date of the default.

2           The company application was sought to be served by the Applicant on the Respondent company. The packet of service has come back with the remark "office closed". Learned Counsel for the Applicant submits that even as of date, the ROC record shows the registered office of the company at the same place as mentioned in the cause title. The same, however, appears to be closed, since the packet has been returned with the remark as noted above.

3           The application is, accordingly, allowed and the returnable date is extended till 7 December 2015.

**(S.C. Gupte, J.)**