

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**ORDINARY ORIGINAL CIVIL JURISDICTION**  
**COMPANY PETITION NO. 549 OF 2014**

R.A.S. Associates Limited ... Petitioner

Versus

Neuvithrah Nutrition Private Limited ... Respondent

Ms. Faiza Dhanani i/b. Dhruve Liladhar & Company for the Petitioner.  
Ms. Nidhi Singh i/b. Joy Legal Consultants for the Respondent.

**CORAM : S.J. KATHAWALLA, J.**  
**DATED : 12<sup>TH</sup> JANUARY, 2015**

P.C.

1. By the above Company Petition, the Petitioner seeks winding up of Neuvithrah Nutrition Private Limited (the Company) on the ground that the Company is unable to pay its debt to the Petitioner. The above Company Petition is taken up for hearing and final disposal.
2. By a detailed order dated 5<sup>th</sup> December, 2014, the above Company Petition was admitted. However, since Company Petition No. 569 of 2014, filed by Chiranjilalji Finance Limited against the above Company was admitted by an order dated 5<sup>th</sup> December, 2014 and directed to be advertised, the publication of the admission of the above Company Petition was dispensed with.
3. The learned Advocate appearing for the Respondent has on instructions informed the Court that the Company is not in a position to

make payment to its creditors. For the reasons set out in the order dated 5<sup>th</sup> December, 2014 and further in view of the fact that the Respondent has not filed its Affidavit in Reply and also the statement made by the learned Advocate appearing for the Company that the Company is unable to pay the dues of its creditors, I am satisfied that the Company is unable to pay its debts, is commercially insolvent and deserves to be wound up. Hence, the following order :

- i. The above Company Petition is allowed in terms of prayer clauses (a) and (b), which are reproduced hereunder :

*“(a) that Neuvithrah Nutrition Private Limited be ordered to be wound up by and under the directions of this Hon'ble Court under the provisions of the Companies Act, 1956 ;*

*(b)that the Official Liquidator, High Court, Bombay be appointed as the Liquidator of the said Company with all powers under the Companies Act, 1956”.*

- ii. The Official Liquidator to forthwith act on an ordinary copy of this order, duly authenticated by the learned Associate of this Court without waiting for any further notification from this Court or from any other authority.

- iii. The above Company Petition is accordingly disposed of.

**(S.J. KATHAWALLA, J.)**