

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMPANY PETITION NO. 591 OF 2014

Intec International

(a division of Bijul Pharma Chem Private Ltd. ... 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 : 12TH 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 5th December, 2014, the above Company Petition was admitted and directed to be advertised. Accordingly, the admission of the Petition has been advertised.

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 5th 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.)