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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

**COMPANY APPLICATION NO. 624 OF 2015
IN
COMPANY APPLICATION NO.533 OF 2014
IN
COMPANY PETITION NO. 628 OF 2008**

Mr Dinesh Chandra Maingi	...Applicant
In the matter between	
Mr Shivkant V. Chaudhary & Ors.	...Respondents
VS	
The OLR of M/s Geeta Marine Service Ltd.	...Co-Respondent.

.....
Mr Samarth Pai i/b Joby Mathew & Associates for the Applicant.
Mr Saeed Akhtar a/w Hitesh Thorat for Respondent Nos.1 to 4.

.....
**CORAM : S.C. GUPTE, J.
AUGUST 20, 2015**

P.C. :

The Company Application seeks recall of a dismissal order passed by this Court on 29 April 2015. The dismissal order was on the basis of non-prosecution of the Company Application. The Applicant has filed an affidavit in support of the Application for recall, setting out the circumstances due to which the Applicant was prevented from appearing in the matter on 29 April 2015, when the Company Application was dismissed by this Court. The Applicant has *inter alia* pointed out that he was unwell on 28 April 2015 and 29 April 2015. He has submitted a medical certificate and also a medical bill in support of his case. The affidavit makes out a sufficient cause for non-appearance of the Applicant on the appointed date. The Company Application is, accordingly, made absolute in terms of prayer clauses (a) and (b). Company Application No.533 of 2014 shall now be heard on merits along with Company Application (L) No. 735 of 2015, which is an application of the Respondent company for setting aside the winding up order.

(S.C.GUPTE J.)