

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**ORDINARY ORIGINAL CIVIL JURISDICTION****COMPANY APPLICATION NO. 703 OF 2015****IN****COMPANY PETITION NO. 528 OF 2014**

Srushti Raj Enterprises (India) Ltd. ...Applicant / Orig. Respondent

1. Pradip Gaurishankar Kedia ...Respondent / Orig. Petitioner

2. Official Liquidator of
Srushti Raj Enterprises (India) Ltd. ...Respondent

In the matter between

Mr.Pradip Gaurishankar Kedia ...Petitioner

vs.

Srushti Raj Enterprises (India) Ltd. ...Respondent

Mr.Zubin Behramkamdin i/b. Arun Panicker for Applicant.
None for Respondent.

CORAM : S.C. GUPTE, J.

19 AUGUST 2015

P.C. :

The company application seeks recall of an order dated 25 September 2014 passed in Company Petition No.528/2014. By this order, this Court noted that the Respondent company was already wound up by an order passed by the Company Court on 14 August 2014 in Company Petition No.321/2012 and directed the Petitioner to file its claim before the Official Liquidator. The company petition was, accordingly, disposed of. The winding up order dated 14 August 2014 passed in Company Petition No.321/2012 has since been set aside by an order passed by a Division Bench of this Court in Appeal No.583/2014.

2 In view of the winding up order, in terms of which the present company petition was disposed of, having been set aside, even the disposal

order in the present petition passed on 25 September 2014 also will have to be set aside and the petition restored to the pre-admission stage at which it was when this order was passed.

3 Accordingly, the company application is made absolute in terms of prayer clause (b). The company petition stands revived and shall appear on board for admission 7 September 2015.

(S.C. Gupte, J.)