

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

**COMPANY APPLICATION NO.940 OF 2015
IN
COMPANY PETITION NO.212 OF 2013**

Praveen s/o Tarachand AgarwalApplicant

IN THE MATTER BETWEEN :

M/s.Star Wood Mercantile Co. Pvt. Ltd.Petitioner

V/s.

M/s.Columbus Trades Ltd. & Ors.Respondents
And

Official Liquidator, High Court, BombayRespondent

Mr.Sushil Upadhyay h/for Ashok Saraogi for the applicant.

Mr.Ranvir Shekhawat for the respondents.

**CORAM : K.R.SHRIRAM,J
DATE : 17.12.2015**

P.C.:-

1 Pursuant to the order dated 19.11.2015, the official liquidator has filed a report dated 15.12.2015 in which it is submitted that the applicant had deposited the amount of Rs.15,000/- and public notice inviting claims was published. The notice has been published on 25.11.2015 and the cut-off date for lodging claim mentioned therein is 15.12.2015. In the report it is submitted by the official liquidator that no claim whatsoever has been received. Since the notice has been issued, prayer clause-(a) of the report is granted and

the Official Liquidator's report is accordingly disposed.

2 As no notice of claim has been received, the Company Application is also allowed in terms of prayer clauses-(a) and (b) which read as under :-

“(a) That the delay of 104 days in filing the present company application be condoned ;

(b) This Hon'ble Court to pass appropriate order that the order dated 29/11/2013 and 8/04/2015 passed in Company Petition No.212 of 2013 be set aside and/or withdrawn and, the Official Liquidator so appointed pursuant to the said orders be discharged on such terms as this Hon'ble Court may deem fit and proper”

3 In view of the order passed above, the Official Liquidator submits that Official Liquidator's Report No.399 of 2015 is rendered infructuous. From the prayers sought in the report, it is correct that the official liquidator's report has become infructuous.

4 The applicant in Company Application No.940 of 2015 to pay Rs.50,000/- as costs to the Official Liquidator within two weeks from today. The order of paying cost of Rs.50,000 is a condition precedent for disposing company application no.940 of 2015.

(K.R.SHRIRAM,J)

CERTIFICATE

**Certified to be true and correct copy of the original
signed Judgment/Order.**