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

COMPANY PETITION NO. 6 OF 2015

Rishabh Apparel Pvt. Ltd. ...Petitioner
VS
Mondelez India Foods Ltd. ...Respondent.

.....
None for the Petitioner
Mr Harinder Toor , Ms Meghana Balugade i/b Craward Bailey & Co. for the
Respondent.

.....
CORAM : S.C. GUPTE, J.

SEPTEMBER 14, 2015

P.C. :

None appears for the Petitioner. Even on the last occasion when the matter was mentioned with a notice to the Petitioner, none appeared for the Petitioner. Learned Counsel for the Respondent points out that the Petitioner had filed a Summary Suit based on the same cause of action and debt on which the present Petition is founded. Learned Counsel submits that by an order passed by a learned Single Judge of this Court on 21 July 2015, the Summons for Judgment was dismissed with unconditional leave being granted to the Respondent herein (the Defendant to the Summary Suit) to defend the suit. The Summons for Judgment was dismissed and leave was granted on the basis that the Respondent herein has bona fide defences to be raised to the claim which call for a trial.

2 In that view of the matter, there is no case for winding up of the Respondent company on the basis of a disputed debt. The Company Petition is, accordingly, dismissed. There shall be no order as to costs.

(S.C.GUPTE J.)

CERTIFICATE

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