

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMPANY APPLICATION (L) NO. 617 OF 2014
IN
COMPANY PETITION NO. 663 OF 2013**

Sipra Remedies Private Limited ... Applicant

IN THE MATTER BETWEEN :

Union Bank of India ... Petitioner

Versus

Sipra Remedies Private Limited ... Respondent

Mr. B.G. Saraf for the Applicant.

Ms. Suman Pattonaik i/b. M/s. Interjuris Advocates for the Petitioner.

Mr. S. Ramakantha, OL, present.

CORAM : S.J. KATHAWALLA, J.
DATED : 12TH JANUARY, 2015

PC.

1. The above Company Application is taken out by the Applicant for the following reliefs :

“(a) This Hon'ble Court may be pleased to condone the delay of 54 days.

“(b) This Hon'ble Court may be pleased to set aside the ex-parte order 26th September, 2014”.

2. In view thereof, on 12th December, 2014 this Court passed the following order :

“1. By an ex-parte order of this Court dated 26th September, 2014, the Respondent Company - Sipra Remedies Private

Limited was directed to be wound up and the Official Liquidator, High Court Bombay was appointed as the Liquidator of the Respondent Company. The Ex-Director of the Respondent Company has taken out the above Application for setting aside the said ex-parte order dated 26th September, 2014. The learned Advocate appearing for the Petitioner on instructions states that the claim of the Petitioner is settled by the Respondent Company. In view thereof, the Official Liquidator shall issue advertisements in Free Journal (in English) and Nav Shakti (in Marathi) setting out therein that by an order dated 26th September, 2014 the above Company was ordered to be wound up and the Respondent Company has now taken out the above Application for setting aside the said order dated 26th September, 2014. The Official Liquidator shall also invite claims from the Workers / Creditors of the Respondent Company if any and also clarify in the said advertisements that if no claims are received before the adjourned date, the Court shall proceed to hear the above Company Application and pass appropriate orders including setting aside of the ex-parte order dated 26th September, 2014.

Stand over to 12th January, 2015.”.

3. The Official Liquidator has accordingly issued advertisements and has informed the Court that he has not received any claim in response to the said advertisements. The compliance report filed by the Official Liquidator dated 7th January, 2015 is taken on record.
4. In view thereof, the above Company Application is allowed in terms of prayer clauses (a) and (b).
5. An amount of Rs.10,000/- towards the cost of the Official Liquidator shall be paid within a period of one week from today. The same shall be credited in the office expenses account.
6. The above Company Petition is dismissed as withdrawn.
7. The above Application is accordingly disposed of.
8. All concerned to act on an ordinary copy of this order, duly authenticated by the learned Associate of this Court.

(S.J. KATHAWALLA, J.)