

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**ORDINARY ORIGINAL CIVIL JURISDICTION****COMPANY APPLICATION NO. 25 OF 2015
IN
COMPANY PETITION NO. 729 OF 2009**

M/s.Rolux Metals

...Applicant

In the matter between

Board of Industrial and Financial Reconstruction

...Petitioner

vs.

The Official Liquidator

...Respondent

Mr.A.P. Bhandari with Mr.B.B. Parekh for Applicant.

Ms.Yogini Chauhan, Asstt.Official Liquidator.

CORAM : S.C. GUPTE, J.**15 OCTOBER 2015****P.C. :**

Learned Counsel for the Applicant submits that since the order passed by the DRT at Kolkata dated 18 November 2013 is carried in appeal by the Official Liquidator before DRAT, the parties may be permitted to adjudicate all questions forming part of the controversy in the present company application before the DRAT and the authorities under the Recovery of Debts Due to Banks and Financial Institutions Act, 1993. He submits that if such liberty is given, he would like to withdraw the company application.

The company application is dismissed as withdrawn with liberty as prayed. All rights and contentions of the parties on merits are kept open.

(S.C. Gupta, J.)