

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMPANY APPLICATION NO. 612 OF 2014
IN
COMPANY PETITION NO. 346 OF 2013

M/s. Perfect Engine Components Private Limited ... Applicant

IN THE MATTER BETWEEN :

M/s. Shreeyanm Power & Steel Industries Limited ... Petitioner

Versus

The OL of M/s. Perfect Engine Components Pvt. Ltd. ... Respondent

Mr. Ranveer Shekhawat i/b. Raj Legal for the Applicant.

Ms. Sujata Nelekar i/b. Dholakia Law Associates for the Petitioner.

Ms. Yogini Chauhan, Assistant OL present.

CORAM : S.J. KATHAWALLA, J.

DATED : 2ND FEBRUARY, 2015

P.C.

1. On 22nd December, 2014, this Court passed the following order :

“1. The Official Liquidator shall advertise the order of winding up of the Company and invite claims from the workers / creditors of the Company. In the said advertisement, the Official Liquidator shall also state that the claim of the Petitioner has been settled and the Company has taken out the above Company Application for setting aside the order of Admission of the Company Petition dated 25th April,

2014 and the order dated 19th August, 2014 directing the Company to be wound up, which Application shall be heard by this Court on 02-02-2015. The cost of the Advertisement shall be borne by the Ex-Directors of the Company. The Ex-Directors shall deposit an amount of Rs.15,000/- with the Official Liquidator towards the said advertisement charges. Stand over to 02-02-2015”.

2. 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 Affidavit filed by the Official Liquidator dated 2nd February, 2015 is taken on record.

3. In view thereof, the orders passed by this Court dated 25th April, 2014 and 19th August, 2014 are set aside.

4. The learned Advocate appearing for the Respondent on instructions undertakes to pay an amount of Rs.25,000/- towards the cost of the Official Liquidator within a period of two weeks from today. The undertaking is accepted. The said amount shall be credited in the office expenses account.

5. The learned Advocate appearing for the Petitioner on instructions seeks to withdraw the above Petition. The above Company Petition is therefore dismissed as withdrawn.

6. The above Application is accordingly disposed of.

7. All concerned to act on an ordinary copy of this order, duly authenticated by the learned Associate of this Court.

(S.J. KATHAWALLA, J.)