

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

**COMPANY APPLICATION NO.44 OF 2015
IN
COMPANY PETITION NO.128 OF 2013**

Indian Registrar of Shipping	...	Applicant
and		
Man Diesel and Turbo	...	Petitioner
versus		
the Official Liquidator of Pratibha Shipping Co. Ltd.	...	Respondent

Ms. Priyaka Patel i/by Ms. S. Priya, for applicant.
Mr. S. Ramakantha, Official Liquidator, present.

CORAM: S.J. KATHAWALLA, J.

DATE: 18th MARCH, 2015

P.C.

1. Heard the learned Advocate for the Applicant. Perused the Company Application and the Affidavit in support thereto. For the reasons set out in the Affidavit in support of the Company Application, the Company Application is allowed in terms of prayer clause (a), which is reproduced hereunder :

(a) that this Hon'ble Court grant leave to the Applicant under Section 446 of the Companies Act, 1956 to continue with Admiralty Suit No.30 of 2013 filed by the Applicant on 24th January, 2013 before the Admiralty jurisdiction of this Hon'ble High Court against Pratibha Shipping Company Ltd.;

2. The statement made by the Applicant that in case of any decree passed in favour of the Applicant, the same shall not be executed without seeking prior permission of this Court, is accepted.
3. The Company Application is accordingly disposed of.

(S.J.KATHAWALLA, J.)