

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMPANY APPLICATION (L) NO. 748 OF 2014
IN
COMPANY PETITION NO. 484 OF 2013**

M/s. Sanika Chemicals Private Limited ... Applicant

IN THE MATTER BETWEEN :

Bombay Ammonia & Chemical Company ... Petitioner

Versus

M/s. Sanika Chemicals Private Limited ... Respondent

Mr. S. L. Mhatre for the Applicant.

Mr. C.N. Mehta 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) The order dated 28.11.2014 making the Company Petition No. 484 of 2011 absolute in terms of prayers (a) and (b) of the Petition be set aside.

(b) The Official Liquidator, High Court, Bombay be directed to open the Seal and handover the possession of the office premises of the Respondent Company situated at 212, Great Eastern Chambers, Plot No. 28, Sector 11, C.B.D. Belapur, Navi Mumbai taken on 20.12.2014 to the Respondent

company forthwith”.

2. In view thereof, on 24th December, 2014 this Court passed the following order :

“1. Mentioned. Not on board. Taken on board.

2. By the above Company Application, the Applicant Company seeks recall of the order dated 28-11-2014 by which the Applicant Company was ordered to be wound up. Before proceeding with the hearing of the matter, the Official Liquidator is directed to issue advertisements in Free Press Journal (in English) and Marathi (in Marathi) inviting claims from the workers / creditors of the Company. The Official Liquidator shall also state in the said advertisements that the above Company Application is filed by the Company for setting aside the order of winding up dated 28.11.2014 which is placed for hearing before this Court on 09.01.2015 and any party desirous of objecting to the reliefs claimed in the said Application may remain present before this Court on 09.01.2015 at 11.00 a.m., failing which the Court shall proceed to hear the Application on merits and pass necessary orders. An amount of Rs.15,000/- shall be deposited by the Applicant Company with the Official Liquidator towards the advertisement charges. Stand over to 09.01.2015”.

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 9th 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. 25,000 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.)