

The Hon'ble Sri Justice C.V.Nagarjuna Reddy

Company Petition No.199 of 2014

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Dated 03.08.2015

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Between:

M/s.Borax Morarji Limited
Mumbai, rep. by its Authorised Signatory
Dilip S.Nagle

... Petitioner

and

-
M/s.Matrix Agrisciences Pvt. Ltd.,
Hyderabad, rep. by its Managing Director.

...Respondent

Counsel for the petitioner: Mr.J.Ugra Narasimha

Counsel for the respondent: None appeared

The Court made the following:

Order:

This Company Petition is filed for an order to wind up the respondent- Company for non-payment of the debt due to the petitioner.

By Order, dated 13-04-2015, this Court has admitted the Company Petition and permitted the petitioner to carry out publication of admission in

two daily newspapers viz., 'Business Standard' (English) and "Andhra Bhoomi" (Telugu) having circulation in the State of Telangana. Thereafter, the case was adjourned on about five or six occasions for filing proof of publication.

On 13-07-2015, the learned Counsel for the petitioner stated that his client is not willing to pursue the Company petition and that an Application under Rule 100 of the Companies (Court) Rules, 1959 (for short 'the Rules'), is proposed to be filed by it for withdrawal of the Company Petition. On 27-07-2015, the learned Counsel for the petitioner requested for further adjournment for this purpose. Today, at the hearing, the learned Counsel submitted that his client is neither responding to his instructions for filing an Application under Rule 100 of the Rules nor coming forward to cause publication of the admission of the Company Petition.

In the above facts and circumstances of the case, as the petitioner failed to carry out publication, the Order, dated 13.04.2015, admitting the Company Petition against the respondent, is recalled and the Company Petition is dismissed for

non-compliance with the above-mentioned order.

(C.V.Nagarjuna Reddy, J)

Dt: 3rd August, 2015
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