

HONOURABLE SRI JUSTICE CHALLA KODANDA RAM

COMPANY PETITION No.64 OF 2015

ORDER:

When the matter is taken up for hearing, Sri D. Siva Prasad, learned counsel representing to Sri K. Ramakanth Reddy, learned counsel appearing for the petitioner seeks permission of this Court to withdraw the Company Application on the ground that the present Company Application has been filed before this Court by oversight and the same should have been filed before the High Court of the State in which the Registered Office of the petitioner's company is situated.

However, the learned counsel for the petitioner seeks liberty to prosecute the matter, if so advised.

Inasmuch as the Court as defined under Section 2(11) and read with Section 10 of the Companies Act, the company petition seeking winding up of the company is required to be filed only in the High Court of the State in which the Registered Office is situated. In the present case, the Registered Office of the respondent-company being situated in Noida, Uttar Pradesh State, the Company Petition filed before this Court is not maintainable as this Court lacks jurisdiction.

Permission is accorded.

Accordingly, the Company Petition is dismissed as withdrawn giving liberty to the petitioner to prosecute the matter, if so advised. No order as to costs. Miscellaneous Petitions, if any pending in this Company Petition shall stand closed. No order as to costs.

CHALLA KODANDA RAM,J

Date:25.11.2015.

Gk.

HON'BLE SRI JUSTICE CHALLA KODANDA RAM

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Gk.