

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CA No.285 of 2015 in/and
CP No.70 of 2014
Date of decision : 15.05.2015

Anshu Enterprises

...Petitioner

Versus

Rosmerta Technologies Ltd.

...Respondent

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

1. Whether reporters of local newspapers may be allowed to see judgment?
2. To be referred to reporters or not?
3. Whether the judgment should be reported in the Digest?

Present: Mr. Navdeep Chabra, Advocate
for the petitioner.

Mr. Sanjiv Bansal, Advocate
for the respondent.

AMIT RAWAL, J. (Oral)

CA No.285 of 2015 & CP No.70 of 2014

Notice of this application.

Mr. Navdeep Chabra, Advocate accepts notice on behalf of
petitioner.

Prayer in the application under Section 10 of the Companies
Act, 1956 for dismissal of the captioned company petition filed under
Section 433, 434 and 439 of the Companies Act, 1956 on the premise that
the registered office of the company is not situated within the territorial
jurisdiction of this Court as the petitioner-non-applicant have given the

address of Gurgaon which is not registered office of the company. Earlier it was at Mumbai now w.e.f. 06.08.2013 it is at New Delhi.

In view of the fact that the company petition has already been filed for winding up of the respondent-company, this Court does not have territorial jurisdiction to decide and adjudicate the matter, much less, lis between the parties.

On the basis of the aforementioned facts submitted in the application, learned counsel appearing on behalf of non-applicant/petitioner submits that he may be permitted to withdraw the aforementioned company petition with a liberty to file fresh taking a benefit of provision under Section 14 of Indian Limitation Act, 1963.

In view of prayer made by learned counsel for the petitioner, company petition is ordered to be treated as dismissed as withdrawn.

The petitioner shall be at liberty to seek condonation of delay as per provision under Section 14 of Indian Limitation Act, 1963.

Accordingly, present company petition & application filed under Section 10 are disposed of.

15.05.2015

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**(AMIT RAWAL)
JUDGE**