

IN THE HIGH COURT OF BOMBAY AT GOA

CIVIL APPLICATION (REVIEW) NO. 8 OF 2016

IN

COMPANY PETITION NO. 2 OF 2015

ANCHOR ELECTRICALS PRIVATE
LIMITED.

... Applicant

Versus

CENZER INDUSTRIES LIMITED.

... Respondent

Mr. Purushottam R. Karpe, Advocate for the Applicant.
Mr. A. Nachinolkar, Advocate for the Respondent.

Coram:- F. M. REIS, J.

Date:- 18th March, 2016

P.C.:

Heard Mr. P. Karpe, the learned Counsel appearing for the applicant and Mr. A. Nachinolkar, the learned Counsel appearing for the respondent.

2. The main grievance of the learned Counsel appearing for the applicant is that in the order dated 4/03/2016 while disposing of the above winding up petition, it is recorded that the learned Counsel appearing for the applicant, upon instructions, have contended that the statutory notice issued to the respondent was defective, as, such notice was not addressed to the registered office of the company. The learned Counsel submits that there was no submission on that count advanced by the learned Counsel appearing for the petitioner.

But, however, it is contended that the petition may be dismissed as withdrawn.

3. The learned Counsel appearing for the respondent objects to the said contention as it is pointed out that the order was passed in open Court and, as such, no case is made out for any review of the order passed.

4. Having heard the learned Counsel, it appears that the applicant does not wish to proceed with the above winding up petition. The only contention is that there was no submission advanced by the learned Counsel appearing for the petitioner on the aforesaid aspect. Whether such submission was advanced or not becomes irrelevant as on going through the copy of the notice produced on record it is obvious that the notice was not sent to the registered address of the respondent. Hence, with the above clarification, no case is made out for review of the said order.

5. Hence, application stands disposed of.

F. M. REIS, J.

NH