

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

COMPANY PETITION NO.862 OF 2015

Enexco Teknologies India Ltd.	Petitioner
Vs.	
ABG Cements Limited	Respondent

**WITH
COMPANY APPLICATION (L) NO.845 OF 2015
IN
COMPANY PETITION NO.835 OF 2014**

Enexco Teknologies India Ltd.	Applicant/Petitioner
Vs.	
ABG Cements Limited	Respondent

Mr. Nelson Rajan P.V. for the petitioner.
None for the respondent.

**CORAM : K.R.SHRIRAM,J
DATE : 11th January, 2016**

P.C.:-

CP/862/2015

1 The counsel for the petitioner states that in view of the company application lodging no.845 of 2015 which is pending in this court, he has instructions to withdraw the present petition.

2 The petition is disposed as withdrawn with liberty to file a fresh petition, should the need arise.

CAL/845/2015

1 This application is for restoring the company petition lodging no.156 of 2014 after recalling the order dated 15th November, 2014 and after restoration to permit the petitioner to withdraw the said petition.

2 The counsel for the petitioner submits that the objections raised were so enormous that it was difficult to remove office objections and on 15th November, 2014 when the matter listed before His Lordship Justice S.J. Kathawalla, the counsel was not in Bombay and hence he could not withdraw the petition with liberty to file a fresh petition.

3 I have heard the submissions of the counsel for the petitioner and also considered the affidavit in support of the company application. In view thereof, this is a fit case to recall the order passed on 15th November, 2014.

4 The order, therefore, is recalled and the petition is restored to file.

5 As requested by the counsel for the petitioner, the company petition lodging no.156 of 2014 which is numbered as company petition

no.835 of 2014 is allowed to be withdrawn with liberty to file a fresh petition.

6 The company petition no.835 of 2014 is disposed as withdrawn.

(K.R.SHRIRAM,J)