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

**COMPANY APPLICATION (L) NO.428 OF 2016**
**IN**
**COMPANY PETITION NO.519 OF 2013**

Riyaz Ahmed Lambay @ R.F.Lambay ... Applicant/Petitioner
versus
The Official Liquidator of M/s. Sand Piper Resorts Ltd. and Ors. ... Respondents

Ms. A. Lambey i/by Mr. Vikas Singh, for Applicant.
Mr. Mahendhar Aithe, Company Prosecutor, present.

**CORAM: S.J. KATHAWALLA, J.**

**DATE: 14th JUNE, 2016**

**P.C.:**

1. Perused the Company Application and the Affidavit in support thereto. None for the Respondent Nos.2 to 4 though served. For reasons set out in the Affidavit in support of the Company Application, the same is allowed in terms of prayer clause (a), which is reproduced hereunder :

> "(a) this Hon'ble Court may be pleased to grant leave under Section 446 to the Applicant to file a Summary Suit against M/s. Sand Piper Resorts Ltd., through the Official Liquidator, High Court, Bombay and the Ex-Directors ( Mr. Irshad Khatib, Mrs. Zeeba Khatib and Mr. Ibad Khatib) in respect of the cheques issued by M/s. Sand Piper Resorts Ltd., in favour of the Applicant";

2. The Company Application is accordingly disposed of.

**( S.J.KATHAWALLA, J. )**