

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

**COMPANY APPLICATION (L) NO.540 OF 2016
IN
COMPANY PETITION NO.398 OF 2012**

IFCI Factors Ltd. ... Applicant

In the matter between :

Dewan Housing Finance Corp. Ltd.
And Others ... Original Petitioners
Versus
SPANCO Ltd. ... Respondent

.....

Ms. Sakshi Khurana for the Applicant.
Ms. Nikita Jacob i/b S.K. Legal Associates for the Petitioners.

.....

CORAM : S.C.GUPTE, J.

DATE : 19 AUGUST 2016.

P.C. :

. The Company Application is for leave under Section 446 of the Companies Act, 1956 for prosecuting an original suit between the Applicant and the Respondent Company (now under liquidation), bearing No.CS(OS) No.2781 of 2015 pending before the High Court of Delhi. The suit is against the Respondent-Company as well as its guarantors who have guaranteed the repayment of the debt by the Respondent-Company. The application is allowed and leave under Section 446 of the Companies Act, 1956 is granted to the Applicant in terms of prayer clause-(a).

(S.C.GUPTE, J.)