

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

**COMPANY APPLICATION (L) NO.562 OF 2016
IN
COMPANY PETITION NO.244 OF 2012**

Stewart Investment & Financial Pvt. Ltd. ... Applicant

In the matter between :

Asset Reconstruction Company (India) Ltd. ... Petitioner

Versus

The Official Liquidator of Sun Earth

Ceramics Ltd ... Respondent

.....

Mr. Jayesh Mestry a/w Shantaram Kakkar i/b RMG Law Associates for the Applicant.

Mr. Hassan F. i/b Manilal Kher Ambalal & Co., for Original Petitioner.

Mr. Jamshed Ansari for the Respondent.

Mr. Mahendhar Aithe, Company Prosecutor for Official Liquidator.

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CORAM : S.C.GUPTE, J.

DATE : 2 DECEMBER 2016.

P.C. :

. This application seeks leave under Secdtion 446 of the Companies Act, 1956 for prosecution of a Summary Suit. The Summary Suit is at the stage of Summons for Judgment.

2 The application is allowed in terms prayer clause (a).

(S.C.GUPTE, J.)