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

COMPANY PETITION NO.252 OF 2015

Standard Chartered Bank	...Petitioner
V/s.	
Accura Infotech Pvt. Ltd.	...Respondent

Mr.Abhinandan Waghmare i/b Goenka Law Associates for the
Petitioner.

None for the Respondent.

CORAM : R.D. DHANUKA, J.
DATE : 13TH APRIL, 2017.

P.C. :-

1. Learned counsel for the petitioner states that the respondent is served. Pursuant to an order dated 28th November, Learned counsel for the petitioner filed affidavit of service on 28th December, 2016. None appeared for the respondent when the matter was called out.

2. By this petition, the petitioner seeks winding up of the respondent on the ground that the respondent is unable to pay its debts.

3. The petitioner had granted term loan of Rs.50.00 lakh to the respondent vide loan agreement dated 31st December, 2011,

which was repayable in 36 installments of Rs.1,82,019/- each. The respondent however, committed default in making repayment of the installments. According to the petitioner, the respondent is indebted to the petitioner in the sum of Rs.37,55,124.66 as on 7th June, 2013 along with interest from 8th June, 2013 till realization.

4. In spite of the notices served upon the respondent, none appeared for the respondent before this Court on 28th November, 2016 and even on four occasions prior thereto.

5. By a detail order dated 28th November, 2016 passed by this Court after considering the documents on record, it is held that there was no reply to the statutory notice. The respondent has no defence. There is no *bonafide* dispute as to the debt of the petitioner.

6. For the reasons recorded by this Court in the said order dated 28th November, 2016 and for the reasons recorded aforesaid, I am of the view that the respondent is unable to pay its debts and is commercially insolvent.

7. I therefore, pass the following order :-

a). The company petition is made in terms of prayer clauses (a) and (b). No order as to costs.

8. The Official Liquidator to act on the authenticated copy of this order.

(R.D. DHANUKA, J.)