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

COMPANY APPLICATION NO.187 OF 2016
IN
COMPANY PETITION NO.378 OF 2010

M/s.J.Square Steel's Pvt. Ltd.	...Applicant
V/s.	
Abhyudaya Co-operative Bank Ltd.	...Respondent

Mr.Madhur Pai i/b PRS Legal for the Petitioner.

Mr.V.P. Sawant i/b Mr.V.M. Thorat for the Respondent No.1 and the Applicant in the Company Application.

Mr.Kunal Bhanage, A.G.P. for the State – Respondent.

Ms.Radha Bhandari i/b M.V. Kini & Co. for the MSEDCL.

CORAM : R.D. DHANUKA, J.
DATE : 4TH JANUARY, 2017.

P.C. :-

1. By this company application the applicant seeks recall of the order dated 10th December, 2010 passed by this Court thereby admitting Company Petition No.378 of 2010. There is no dispute that the applicant (original respondent) was served with the copy of petition filed by the petitioner. The applicant however, was absent when the order dated 10th December, 2010 came to be passed by this Court in the said company petition.

2. I am not inclined to recall the said order passed as far back as on 10th December, 2010 admitting the company petition at this stage. Company Petition No.378 of 2010 itself can be heard finally.

3. The applicant is directed to file affidavit in reply to the company petition within two weeks from today and a copy thereof shall be served upon the petitioner's advocate simultaneously. Rejoinder, if any, shall be filed within two weeks from the date of service of the affidavit in reply.

4. Company Application No.187 of 2016 is accordingly dismissed.

5. Place Company Petition No.378 of 2010 for hearing and final disposal on 7th February, 2017.

(R.D. DHANUKA, J.)