

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

**APPEAL (L) NO.47 OF 2017
IN
COMPANY PETITION NO.73 OF 2012
WITH
NOTICE OF MOTION (L) NO.241 OF 2017
IN
APPEAL (L) NO.47 OF 2017**

M/s. Amazon Food & Beverages Pvt. Ltd. Appellant/
Applicant

versus

M/s. Greenfield Impex Pvt. Ltd. ... Respondent

.....

- Mr.Saket Mone, i/b. Vidhi Partners, Advocate for the Appellant/Applicant.
- Mr.Pravin Patel, Advocate for the Respondent.
- Mr.L.T. Satelkar, for the Official Liquidator.

**CORAM : R. M. SAVANT &
SARANG V. KOTWAL, JJ.
DATE : 21st NOVEMBER, 2017.**

P.C. :

1. The above Appeal is companion to Appeal No.48/17 which we have allowed by an order passed today. In view of the fact that the impugned order passed in the above Appeal is

based on the order, which was the subject matter of the said Appeal No.48/17, the above Appeal would also would have to be allowed and is accordingly allowed. Resultantly, the impugned order dated 27/11/2014 would stand set aside and the Company Petition would stand relegated to the learned Single Judge for a denovo consideration. Needless to state that the contentions of the parties on merits, including the contention that the statutory notice was not served on the registered address, are kept open for being urged before the learned Single Judge.

2. The amount deposited by the Appellant in the above Appeal would now stand transferred and deposited in the account of the Company Petition.
3. In view of the disposal of the Appeal, the Notice of Motion(L) No.241/17 does not survive and to stand disposed of.

(SARANG V. KOTWAL, J.)

(R. M. SAVANT, J.)