

vai

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

COMPANY APPLICATION NO.421 OF 2016
IN
COMPANY APPLICATION NO.449 OF 2014
IN
COMPANY PETITION NO.316 OF 1999

Murarilal L.Chaturvedi & Ors. ...Applicants

IN THE MATTER BETWEEN :

Ramesh Sareiya ...Petitioner
V/s.

The Official Liquidator for
Sampada Homes & Developers Ltd. ...Respondent

Mr.Sriraj Menon for the Applicant.

Mr.Mahendhar Aithe, Company Prosecutor for the Official Liquidator
present.

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

P.C. :-

1. By this company application, the applicants seek recall of the order dated 26th September, 2014 passed by this Court, dismissing the company application for want of prosecution. Learned counsel appearing for the applicant states that the all the office objections are already removed. The statement is accepted.

2. I have perused the averments made in the company

application and heard the learned counsel for the applicants. In my view, the interest of justice would be met with if the order dated 26th September, 2014 is recalled on the condition that the applicants pay Rs.5,000/- towards costs to the Official Liquidator within two weeks from today.

3. I therefore, pass the following order :-

a). The company application is made absolute in terms of prayer clauses (a) and (b) on the condition that the applicants pay costs of Rs.5,000/- to the Official Liquidator within two weeks from today. It is made clear that if the applicants fail to comply with this order passed by this Court, this order to stand vacated and Company Application No.421 of 2016 to stand dismissed without further reference to the Court.

(R.D. DHANUKA, J.)