

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

**COMPANY APPLICATION NO.286 OF 2015  
IN  
COMPANY PETITION NO.253 OF 2014  
WITH  
COMPANY PETITION NO.253 OF 2014**

M/s Tathastu Mercantile Pvt. Ltd.      ...      Applicant/Org. Petitioner

In the matter between :

Nikoo Trade Link Pvt. Ltd.      ...      Respondent/Org. Petitioner

Versus

M/s Tathastu Mercantile Pvt. Ltd.      ...      Applicant/Org. Respondent

And

Official Liquidator,

High Court, Bombay

...      Respondent

**ALONGWITH  
OLR NO.27 OF 2017  
IN  
COMPANY APPLICATION NO.286 OF 2015  
IN  
COMPANY PETITION NO.253 OF 2014**

In the matter of Companies Act  
I of 1956;

And

In the matter of M/s Tathastu  
Mercantile Pvt. Ltd. (In Liqn.)

.....

Mr. R.R. Varma i/b A.M. Saraogi for the Applicant/Org. Respondent.

Ms. Yogini Chauhan, Deputy Official Liquidator.

.....

**CORAM : S.C. GUPTE, J.**

**DATE : 16 FEBRUARY 2017**

**P.C. :**

. This company application seeks recall of a winding up order on the ground that the liability of the petitioning creditor has been fully discharged and there are no other creditors. On the last occasion, i.e. on 6 February 2017, this Court directed the Official Liquidator to file a short report in respect of the public notice issued by him calling for claims of creditors and workmen. The Official Liquidator has filed his report dated 15 February 2017, confirming that after publishing the notice inviting claims, no claim has been received by the Official Liquidator so far. In the premises, since the liability of the petitioning creditor has been fully discharged (the same having been confirmed in an affidavit filed by the petitioning creditor) and no other creditor has come forward with a claim against the company (in Liqn.), as confirmed by the Official Liquidator, the company application is allowed in terms of prayer (a). The Registrar of Companies is directed to restore the status of the Respondent-company as 'active' on the ex-director/s filing appropriate IMC form. The Applicant ex-director and Respondent-company are directed to pay the costs to the Official Liquidator quantified at Rs.25,000/- (Rs. Twenty Five Thousand Only) within a period of three weeks from today. This payment may be appropriated by the Official Liquidator towards his general expenses in liquidation. The company application and the OLR are disposed of accordingly.

**(S.C. GUPTE, J.)**