

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMPANY APPLICATION NO.376 OF 2016
IN
COMPANY PETITION NO.365 OF 2012**

M/s. Bhushan Power and Steel Pvt. Ltd.Applicant

Vs.

M/s. Max Energy Pvt. Ltd.Respondent

Ms. Nazneen S. Baig for applicant.

Mr. Kunal Chheda i/b. M.V. Kini and Co. for original petitioner.

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

CORAM : K.R.SHRIRAM, J.

DATE : 5th OCTOBER, 2017

P.C.:

1 Heard the counsel for applicant.

2 Application is allowed and accordingly disposed in terms of
prayer clause – (a).

3 Mr. Aithe, Company Prosecutor for Official Liquidator states
that in any event there are no funds of the company in liquidation available
with the Official Liquidator and therefore, even if applicant gets decree,
there will be no money to pay to satisfy the decree.

(K.R. SHRIRAM, J.)