

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

**COMPANY APPLICATION (L) NO.228 OF 2017
IN
COMPANY PETITION NO.497 OF 2014**

Janak H. Vaswani & Ors. .. Applicants

In the matter between

Renuka H. Vaswani .. Petitioner

Vs.

Parekh Aluminex Ltd. .. Respondent

Mr.Nirman Sharma i/by M/s.Desai & Diwanji for the applicants.
Mr.Lal Andhyarujina a/w Mr.Punit Damodar a/w Ms.Nikita Vardhan i/by
M/s.Kanga & Co. for the respondent.

CORAM : R.D. DHANUKA, J.

DATE : 15th June 2017

P.C. :

. By this company application, the applicants seek recall of the order dated 5th May 2017 passed by this Court which was a common order in Company Petition Nos.496 of 2014, 497 of 2014 and 498 of 2014.

2. Learned counsel for the applicants states that the original petitioner in Company Petition No.497 of 2014 had already expired before this Court passed the said order on 5th May 2017 and thus the said order shall be recalled in so far as Company Petition No.497 is concerned.

3. The applicants have also prayed for amendment to the said petition and seek impleadment of the applicants in place of the original

petitioner and condonation of delay.

4. For the reasons recorded aforesaid, the order dated 5th May 2017 passed by this Court in so far as the Company Petition No.497 of 2014 is concerned is recalled.

5. Delay in filing this application for recall is condoned. In so far as prayer clause (b) seeking amendment to the said petition and prayer clause (c) seeking condonation of delay in filing the company application in respect of prayer clause (b) are concerned, the applicants would be at liberty to file fresh company application for those reliefs. It is made clear that this Court has not decided the reliefs mentioned in prayer clauses (a) and (b) in this application. It is also made clear that rest of the order dated 5th May 2017 is not altered. All contentions available in law are kept open.

6. Company application is disposed of in aforesaid terms.

R.D. DHANUKA, J.