

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

COMPANY PETITION NO. 1014 OF 2015

Ahmedabad Infracon Pvt. Ltd.

.. Petitioner

Vs.

Crest Logistics and Engineers Pvt. Ltd.

.. Respondent

Mr.Prashant Pandit for petitioner.

Mr.Akshay Patil a/w. Ms. Kanan Chawda i/b India Law Alliance for respondent.

CORAM : K.R.SHRIRAM, J.

DATE : 21ST NOVEMBER 2017

P.C.

In this petition, according to petitioner, petitioner has to pay a sum of Rs.4,99,791/-. Annexed to the petition at Exh.'C' and Exh.'D' are two statements from which it appears that the amount became due and payable between 2009 and 2011. From the rejoinder filed by petitioner, it appears that Exh.'D' is an annexure to a letter dated 23rd August 2011. Therefore, on 23rd August 2011, alleged debt to petitioner of Rs. 4,99,791/-, became payable. Petition has been lodged only on 2nd May 2015. If we take three years from 23rd August 2011, the cut off date would be 22nd August 2014. In the circumstances, the claim appears to be barred by limitation. In such a situation, I am not inclined to admit this petition.

Petition dismissed.

(K.R. SHRIRAM, J.)