

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

COMPANY PETITION NO.78 OF 2015

Steelfab Scaffoldings & Engineering Pvt. Ltd.Petitioner

Vs.

Siddhivinayak Infrsystem Pvt. LimitedRespondent

None for petitioner.

Mr. Shehzad Naqvi i/b. Mr. Asif Naqvi for respondent.

Mr. Himanshu Takke, AGP for Sales Tax Department, Navi Mumbai present.

Ms. Poonam Mohite, Assistant Commissioner of Sales Tax, Navi Mumbai present.

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

CORAM : K.R.SHRIRAM, J.

DATE : 4th DECEMBER, 2017

P.C.:

1 The counsel for respondent states that petitioner has been paid off the entire liability and that is why petitioner has not been appearing for quite some time. Pursuant to orders passed by this Court, Official Liquidator has given notice in two newspapers about withdrawal of this petition. Mr. Aithe, Company Prosecutor for Official Liquidator states that in response to the notice, the Assistant Commissioner of Sales Tax, Navi Mumbai, has filed an affidavit of proof of debt claiming a sum of Rs.32,91,023/- and Rs.53,54,737/-. Nobody else has filed any claim with the office of the Official Liquidator.

2 Mr. Naqvi, counsel for respondent states that even he has not received any claim from any party. Mr. Takke, on instructions states that the

Court may pass order permitting withdrawal of the petition and the Sales Tax Department will take out appropriate proceedings in accordance with law against respondent company.

3 In the circumstances, keeping open the rights and contentions of the Sales Tax Department, petition is dismissed as withdrawn. All interim application stand disposed. All interim order also stand vacated.

(K.R. SHRIRAM, J.)