

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
APPEAL (L) NO. 438 OF 2016
WITH
NOTICE OF MOTION NO. 289 OF 2017
IN
APPEAL (L) NO. 438 OF 2016**

Soumit Ranajan Jena Appellant

Vs.

Indian Steel and Infrastructure Respondent
Private Limited.

Mr. Sanjeev Sawant i/b Mr. Amol Wagh for the appellant
None for the respondent

**CORAM : SMT. VASANTI A. NAIK,
SARANG V. KOTWAL, JJ.**

DATE : DECEMBER 15, 2017.

P.C.

The order of the learned Single Judge in Insolvency Petition No. 2 of 2016 dated 20/09/2016 is appealed against in this intra court appeal.

We find that the order of the learned Single Judge is just and proper as the appellant had not paid the amount due and payable and in that background the Court had disposed of the insolvency petition after considering the fact that the appellant was not in a position to make the payment of the dues.

In the result, the appeal fails and is dismissed with no order as to costs. With the disposal of the appeal, the notice of motion stands disposed of.

[SARANG V. KOTWAL, J.]

[SMT. VASANTI A. NAIK, J.]