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

COMPANY APPLICATION NO.1056 OF 2015  
IN  
COMPANY PETITION NO.668 OF 2015

M.Visvesvaraya Industrial Research  
& Development Centre

...Applicant

**IN THE MATTER BETWEEN :**

M.Visvesvaraya Industrial Research  
& Development Centre  
V/s.

...Petitioner

Best Investments Pvt. Ltd.

...Respondent

Mr.Meit Sampat i/b Little & Co. for the Petitioner.

None for the Respondent.

**CORAM : R.D. DHANUKA, J.**  
**DATE : 10TH JANUARY, 2017.**

**P.C. :-**

1. By this company application, the applicant seeks appointment of the Official Liquidator as the provisional Liquidator and also seeks injunction against the respondent company from dealing with, disposing of or parting with possession of, alienating, transferring or selling or encumbering or creating third party rights in any of the assets of the respondent company with all the powers

under the provisions of the Companies Act, 1956.

2. By a separate order passed by this Court today in Company Petition No.668 of 2015, this Court has already admitted the said company petition. Insofar as this company application is concerned, the respondent company has not claimed service of this company application. None appeared for the respondent company when the matter is called out.

3. It is not in dispute that the respondent company is in possession of the premises which is owned by the petitioner. The respondent company has also committed default in making payment of the common outgoing rent. The applicant has thus made out a case for grant of injunction in respect of the said premises bearing shop No.34, admeasuring 289 sq. ft. built up on the ground floor of the Centre's building of the petitioner known as "The Arcade".

4. I therefore, pass the following order :-

a). During the pendency of the company petition, the respondent company shall not dispose of, part with possession of, alienate, transfer, sell, encumber or create any third party rights in respect of the premises. I am not inclined to appoint the Official Liquidator as the Provisional Liquidator as prayed in view of the amount involved being not a substantial amount.

b). The company application is accordingly disposed of in

aforesaid terms.

c).           No order as to costs.

**(R.D. DHANUKA, J.)**