

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**COMA No. 10 of 2017**

M/s Brahaspati Iron And Steel Company Private Limited A Company Incorporated Under The Relevant Provisions Of The Companies Act, 1956, Through Its Director Having Its Registered Office At A 29, Amrapali Society, In Front Of M M I Hospital, Pachpedi Naka, Raipur P. S. Tikrapara, Raipur Chhattisgarh.

---- Appellant

Versus

M/s India Steel And Infrastructure Private Limited Having Its Registered Office At 64 B, B. K. Paul Avenue, Kolkata West Bengal And Corporate Office At O 2, Farista Complex G. E. Road, Raipur, Chhattisgarh Represented Through Its Authorised Signatory Shri Vaibhav Goyal S/o Vijay Goyal, Aged About 26 Years, R/o M M Block, Second Floor, Farista Complex, Raipur Chhattisgarh.

---- Respondent

For Appellant	: Shri Sachin Singh Rajput, Advocate.
For Respondent	: Shri Manaynath Thakur, Advocate.

Hon'ble Shri Ajay Kumar Tripathi, Chief Justice**Hon'ble Shri Parth Prateem Sahu, Judge****Judgment on Board****19/11/2018****Per Ajay Kumar Tripathi, Chief Justice**

1. Heard on I.A. No.01 of 2017, application for condonation of delay of 239 days in instituting the appeal. We are not satisfied with the reasons indicated therein, therefore, condonation application is fit to be dismissed and is hereby dismissed. Besides the above, we tried to go into the merits of the appeal as well to satisfy our judicial conscious as if the Appellant has a case.
2. The original order which had been passed in Company Appeal No.8 of 2015 is dated 04.04.2016 where publication for winding up has been issued. That order has not been assailed in the company petition. Since that is the primary order in question, even otherwise, we are not inclined to interfere with the decision and directions issued by the learned Company Judge on merits as well.
3. The Company appeal stands dismissed.

Sd/-

(Ajay Kumar Tripathi)
CHIEF JUSTICE

Sd/-

(Parth Prateem Sahu)
JUDGE