

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

SUIT NO.879 OF 1997

S. R. Aerospace, Inc.

... Plaintiff

V/s.

Skyline NEPC Ltd. & Anr.

... Defendants

Mr. Vishwabhushan Kamble i/b M/s. Khaitan and Jaykar for the Plaintiff.

Mr. Mahendhar Aithe, Company Prosecutor for official liquidation present in Court.

CORAM : K. R. SHRIRAM, J.

DATE : 26th OCTOBER, 2018.

P.C.:

. On 29/4/2010 the suit was adjourned sine die because the plaintiff did not obtain leave under section 446 of the Companies Act 1956. Mr.Kamble, the learned counsel appearing for the plaintiff states that the plaintiff is yet to obtain leave under section 446 of the Companies Act 1956. Therefore the suit is dismissed for want of prosecution. Court Receiver stands discharged. Whatever property of the defendant company in liquidation with the Court Receiver shall be handed over to the official liquidator who shall file appropriate official liquidator's report in the winding up proceedings.

(K.R.SHRIRAM, J.)