

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

COMPANY PETITION NO.144 OF 2016

Jani Sales Private Limited)....Petitioner
V/s.

Surface Graphics Private Limited)....Respondent

Mr.Parshva Doshi i/by M/s.Dhruve Liladhar & Co. for petitioner.
Mr.Vijay B.Kulkarni for respondent.

CORAM : K.R.SHRIRAM,J

DATE : 19.4.2018

P.C.:-

1 Mr.Kulkarni for the company states that the directors of the company have handed over the possession of the premises of the company and other assets to the Official Liquidator who was appointed as provisional liquidator. Mr.Kulkarni further states that the company is not in a position to pay debts and could be ordered to be wound up.

2 On record is the affidavit of one Ravindra B.Rikame affirmed on 24.2.2018 confirming publication in 'Free Press Journal' and 'Navshakti' on 16.2.2018 and also in the Maharashtra Government Gazette for the period 22-28 February, 2018 at Serial No.M-17344. Notice under Rule 28 of the Company (courts) Rules

1959 was waived.

3 In the circumstances, petition is allowed in terms of prayer clauses-(a) and (b) which read as under :-

“(a) that Surface Graphics Private Limited be ordered to be wound up by and under the directions of this Hon'ble Court under the provisions of the Companies Act, 1956 ;

(b) that the Official Liquidator, High Court, Bombay be appointed as the Liquidator of the said Company with all powers under the Companies Act, 1956.

4 The advocate for petitioner shall furnish a copy of this order, duly authenticated by the Associate of this court with the office of Official Liquidator. The Official Liquidator shall forthwith act thereupon without waiting for any notification appointing him as liquidator.

(K.R.SHRIRAM,J)