

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMPANY APPLICATION NO.138 OF 2018
IN
COMPANY PETITION NO.740 OF 2014**

IFCI LimitedApplicant/Petitioner

Vs.

ABG International Pvt. Ltd.Respondent

Mr. Zal Andhyarujina a/w. Mr. Hemant Prabhulkar and Ms. Smita Bhosale
i/b. Jurisperitus Mumbai for applicant/petitioner.

Mr. Ayush Agarwal i/b. Khaitan and Co. for respondent.

CORAM : K.R.SHRIRAM, J.

DATE : 8th JUNE, 2018

P.C.:

1 Heard Mr. Andhyarujina, counsel for applicant and also
considered the affidavit in support.

2 For reasons mentioned therein, application is allowed and
accordingly disposed in terms of prayer clause – (a). Petition restored to file.

3 The company has been ordered to be wound up by an order
dated 5th January 2018 passed in company petition no.667 of 2015.
Therefore, this petition stands disposed with liberty to petitioner to lodge
their proof of debt with Official Liquidator, who shall consider the same in
accordance with law.

4 If the order dated 5th January 2018 in company petition no.667
of 2015 winding up respondent company – ABG International Pvt. Ltd. is

recalled or set aside in appeal, liberty is given to petitioner to revive this petition and move once again for necessary orders including winding up of respondent company.

(K.R. SHRIRAM, J.)