

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

REVIEW PETITION (L) NO.3 OF 2018

IN

COMPANY PETITION NO.792 OF 2015

Vinay Raj Singh

....Petitioner

Vs.

Standard Chartered Bank and Anr.

....Respondents

Mr. B.S. Nagar I/b. M/s. Global Law Offices for review petitioner.

Mr. Parikshit Desai I/b. Mr. Hiren Mehta for respondent no.1.

Mr. Mahendhar Aithe, Company Prosecutor for Official Liquidator present.

CORAM : K.R.SHRIRAM, J.

DATE : 10th JULY 2018

P.C.:

1 Mr. Nagar, counsel for review petitioner states that in paragraph 4 of the order dated 8th February 2018, which order review petitioner is seeking review of, it is noted that the notice that was sent under Rule 28 of the Companies (Court) Rules 1959 has been returned undelivered with the endorsement "Unclaimed. Return to sender". Mr. Nagar states that the Company had shifted from that address by that date and was operating from some other address.

2 The indisputable fact is that the registered address continued to be the same. Mr. Nagar also had no explanation as to why the registered office address was not changed in the Ministry of Corporate Affairs records.

3 Mr. Nagar states that the registered office was in the possession of Provisional Liquidator from 27th April 2016 and therefore, the Company

could not have been served.

4 It is not the case of review petitioner anywhere that the office was sealed by Provisional Liquidator. This was pursuant to order of admission and Official Liquidator's Reports states that only two cabins in the office was sealed and not the entire office.

5 Therefore, no case for review is made out. I do not find any reason to review the order dated 8th February 2018.

6 Review petition dismissed with costs in the sum of Rs.10,000/-. This amount to be paid by way of cheque drawn in favour of the advocate on record for respondent in review petition within two weeks from today.

7 Notwithstanding dismissal of review petition, petitioner to remove all office objections and get the petition numbered within two weeks from today.

8 Mr. Desai states that respondent in review petition has paid the cost of Rs.25,000/- as directed by this Court in its order dated 15th June 2018. The advocates to lodge the compliance with Prothonotary and Senior Master.

(K.R. SHRIRAM, J.)