

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

**COMPANY APPLICATION NO. 355 OF 2017
IN
COMPANY PETITION NO. 762 OF 2014**

Aanchal Collection Ltd. ... Applicant

In the matter between :

Aanchal Collection Ltd. .. Petitioner

Vs.

Gili India Ltd. .. Respondent

Mr.Ajit Anekar a/w. Mr. Thomas James i/b Auris Legal for
applicant/petitioner.

Mr.Dinesh Kumar Dubey for respondent.

CORAM : K.R.SHRIRAM, J.

DATE : 6TH FEBRUARY 2018

P.C.

1 This application is to recall the order dated 18th October 2016 dismissing the petition for default. The order exclusively deals with the number of adjournments that petitioner took and remained absent. The petitioner's explanation for the same and for the delay in taking out this application is that petitioner is based in Kolkata and petitioner was relying on the advocate to do the needful and that was a mistake.

2 Shri Dubey appearing for respondent-company strongly objects to the restoration of the petition.

3 In my view, it is true that the company should have been more diligent in following up the matter. Be that as it may, I am inclined to allow the application subject to petitioner paying a sum of Rs.25,000/- as costs to respondent by way of cheque drawn in favour of the advocate on record for respondent. This amount to be paid within one week from today. Petition restored to file and be listed for admission on 15th February 2018.

4 Company Application accordingly disposed.

(K.R. SHRIRAM, J.)