

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMPANY APPLICATION NO. 310 OF 2018
IN
COMPANY PETITION NO. 398 OF 2012**

Rent Works Private Limited .. Applicant

IN THE MATTER BETWEEN :

Dewan Housing Finance Corp. Ltd. ... Petitioner

Vs.

Spanco Limited & Ors. .. Respondents

Mr.Rajshekhar Upadhyaya I/b Dave and Girish and Co. for applicant.

Mr.Mahendhar Aithe, company prosecutor for official liquidator present.

CORAM : K.R.SHRIRAM, J.

DATE : 27TH JULY 2018

P.C.

1 When the application was listed on 24th July 2018, the counsel for applicant was asked whether applicant would pay for the legal expenses of the official liquidator or else since the suit filed is of a summary nature, applicant could lodge their claim with affidavit of proof of debt with the official liquidator.

2 Shri. Upadhyay wanted to take instructions and therefore application was kept back to be heard at 3:00 P.M. in the post lunch session. As none appeared in the post lunch session for applicant, application was stood over to 25th July 2018. On 25th July 2018, the counsel for applicant requested

the application to be stood over to today so that he can take instructions from applicant.

3 Today, the counsel states that he has not received any instructions because applicant is a NRI. I find applicant to be a company and therefore, I cannot accept that applicant is a NRI.

4 As applicant if has not agreed to fund the legal costs of the official liquidator, application is dismissed.

However, applicant files his affidavit of proof of debt with the official liquidator, the official liquidator shall consider the same and dispose it in accordance with law. Affidavit of proof of debt to be filed within four weeks from today.

(K.R. SHRIRAM, J.)

**Shraddha
Kamlesh
Talekar**

Digitally signed by
Shraddha Kamlesh
Talekar

Date: 2018.07.31
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