

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORDINARY ORIGINAL CIVIL JURISDICTION  
APPEAL NO. 78 OF 2018  
IN  
COMPANY PETITION NO. 1047 OF 2015

Shree Krishna Travel Solutions Pvt. Ltd. ... Appellant.  
V/s.  
World Avenues Ltd. ... Respondents.

None for the Appellant  
None for the Respondent.

**CORAM : A.S. OKA AND M.S. SONAK, JJ.**  
**DATE : 8<sup>th</sup> OCTOBER 2018.**

P.C.:

1] This appeal was called out on 10<sup>th</sup> July 2018, when none appeared for the appellant. On 17<sup>th</sup> July 2018, adjournment was sought on behalf of the learned advocate for the appellant. On 31<sup>st</sup> July 2018, again adjournment was sought on behalf of the appellant. On 14<sup>th</sup> August 2018, none appeared for the appellant. On 4<sup>th</sup> September 2018, on the request made by the learned counsel for the appellant, the appeal was adjourned to 11<sup>th</sup> September 2018. On 11<sup>th</sup> September 2018, on the request made by the learned advocate for appellant, the appeal was adjourned till 1<sup>st</sup> October 2018. On the adjourned date, on the request made by the learned counsel for the appellant, the appeal was adjourned till today, i.e., 8<sup>th</sup> October 2018. When the appeal was called out in the morning, on prayer made by the learned counsel appearing for the appellant, it was kept back for half an hour. On the second call, none appears for the appellant.

2] By the impugned order, the learned Single Judge has ordered the appellant company to be wound up. The impugned order shows that after service of the statutory notice, no reply was issued by the appellant. Though notice of the company petition was served, the appellant did not cause appearance. The petition was admitted which was advertised. Thereafter, service of notice was again effected. Even after the said service, the appellant did not cause appearance and therefore, the impugned order has been passed. Apart from the fact that at no stage, there is any contest by the appellant, this appeal at the instance of the company which is ordered to be wound up is not maintainable, as at no stage, the impugned order was stayed by this Court. Accordingly, the appeal is dismissed. Notice of Motion, if any, does not survive and the same is disposed of.

(M. S. SONAK, J.)

(A.S.OKA, J.)

Dinesh  
Sadanand  
Sherla

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