

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

COMPANY PETITION NO.32 OF 2011

Shivji Valji Tarpaulins Pvt. Ltd.

....Petitioner

Vs.

Cane Agro Energy Pvt. Ltd.

....Respondent

None for the parties.

CORAM : K.R.SHRIRAM, J.

DATE : 22nd JUNE, 2018

PC.:

1 Section 4 (b) of amended Sick Industrial Companies (Special Provisions) Repeal Act, 2003 provided that on such date as may be notified by the Central Government, any appeal preferred to AAIFR or any reference made or inquiry pending to or before BIFR shall stand abated provided that a company in respect of which such appeal or reference or inquiry that stands abated may make reference to the NCLT under the Insolvency and Bankruptcy Code, 2016 (IBC) within 180 days from the commencement of the IBC in accordance with the provisions of the IBC. The notified date is 1st December, 2016 and 180 days expired on or about 31st May, 2017.

2 The company has not filed any affidavit stating that they have filed any reference to NCLT. The registry has also issued two circulars/notices addressed to all the parties. Matter was also listed before Prothonotary and Senior Master. Despite that nobody is present.

3 Therefore, petition dismissed.

(K.R. SHRIRAM, J.)