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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CO.APP. 25/2018**

GREKA DRILLING (INDIA) LIMITED Appellant

Through: Mr.Yogesh Kumar Jagia, Adv. with
Mr.Amit Sood & Ms.Tanya Nagia,
Advs.

versus

ARABIAN OILFIELD SUPPLIERS & SERVICE, Respondent
Through:

CORAM:
JUSTICE S.MURALIDHAR
JUSTICE SANJEEV NARULA

ORDER
% **12.11.2018**

CM APPL. 46816/2018 (delay)

1. For the reasons stated in the application, the delay in filing the appeal is condoned and the application is disposed of.

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2. The learned counsel for the Appellant states that the Appellant is not a company registered in India but outside India and in respect of whom documents have been delivered to the Registrar of Companies under Section 380 of the Companies Act, 2013. According to him, therefore, the winding up petition against it was not even maintainable.

3. The Court finds that this fact was not brought to the notice of the learned

Single Judge. On the contrary, it appears that the submission made before the learned Single Judge is that the Appellant would need some more time to clear its due owed to the Respondent herein.

4. Since the above submissions goes to the root of the matter, the Court permits the Appellant to file a review petition before the learned Single Judge within four weeks raising the above issue which if so raised would be considered by the learned Single Judge in accordance with law. Till the disposal of the review petition by the learned Single Judge, the impugned order shall be kept in abeyance.

5. The appeal is disposed of in the above terms.

S. MURALIDHAR, J.

SANJEEV NARULA, J.

NOVEMBER 12, 2018
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