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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMPANY APPLICATION (L) NO. 59 OF 2019
IN
COMPANY PETITION NO.756 OF 2016**

Oil and Natural Gas Corporation Ltd. ... Applicant /
Petitioner.

In the matter between
Export Import Bank of India ...Petitioner
Vs.

GOL Offshore Ltd. (Official Liquidator, High ... Prop.
Court, Bombay Through Gold Offshore Ltd. Respondent

Mr. Anurudh Bhalwal I/b M/s. Vyas & Bhalwal for the Petitioner.
Mr. Mahendhar Aithe, CP for O.L.

CORAM: R. I. CHAGLA, J.
DATE: 11TH SEPTEMBER, 2019

PC:-

1. This Company Application has been filed seeking leave to the Applicant under Section 446 of the Companies Act, 1956 to continue Arbitration Petition No.210 of 2018 against the Official Liquidator appointed in Company Petition No.756 of 2016 as Respondent in place of the Respondent to the Petition. It is to be noted that the Company which is the Respondent in the Arbitration Petition No.212 of 2013 is Great Eastern Shipping Co. Ltd. The Company in liquidation is GOL Offshore Ltd. The two Companies are independent Companies. The order dated 15th January, 2019 passed by (S.C. Gupte,J.) in Arbitration Petition No.212 of 2013

has recorded the statement of the learned Counsel for the Great Eastern Shipping Co. Ltd. that the Offshore division of the Great Eastern Shipping Ltd. had demerged and had been transferred to Great Offshore Ltd. pursuant to order dated 12th February, 2006. Thereafter, the name of Great Offshore Ltd was changed to GOL Offshore Ltd. under liquidation.

2. This application is made for continuation of the proceeding in Arbitration Petition No. 212 of 2013 as well as for joining of the Official Liquidator of GOL Offshore Ltd. Considering that GOL Offshore Ltd. the company in liquidation is not party to the proceedings in Arbitration Petition No.212 of 2013, it would not be appropriate to grant the application sought for in the Company Application.

3. It is always open for the Applicant to continue the Arbitration Petition against Great Eastern Shipping Co. Ltd., which is a Company currently in existence and independent from the GOL Offshore Ltd.

4. Accordingly, Company Application is rejected with no order as to costs.

(R I. CHAGLA, J.)