

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

INTERIM APPLICATION NO. 1 OF 2019
IN
COMPANY PETITION NO. 845 OF 1998

Parasrampur Estate Developers Private Limited Applicant

IN THE MATTER BETWEEN

Splendour Investment Private Limited Petitioner

VERSUS

Parasrampur Estate Developers Private Limited Respondent

AND

The Registrar of Companies Non-Party/
Respondent

Mr.Rashmin Khandekar, a/w. Ms.Deepa Bisht, Mr.Virag Bansod, i/b.
Mr.Tushar Goradia for the Applicant.

Mr.Mitesh Naik, i/b. M/s.Dhru & Co. for the Petitioner.

CORAM : R.D. DHANUKA, J.

DATE : 19th DECEMBER, 2019

P.C.

None appeared for the Registrar of Company when the matter was called out though served. No affidavit in reply is filed.

2. A perusal of the order annexed to the interim application clearly indicates that the order dated 4th August,2005 passed by this court in Company Petition No.845 of 1998, thereby passing an order of winding up of the applicant company has been reversed by an order dated 4th August,2005 and 24th July, 2009 by consent of parties in Appeal (L) No.159 of 2011.

3. The applicant thereafter applied to the Registrar of Company by letter dated 3rd August, 2018 to change the status of the applicant company from 'company under liquidation to an active company' to enable the applicant to file requisite forms. There was a reminder sent to the said notice by letter dated 5th October, 2018. There was however no response.

4. Learned counsel for the petitioner has no objection if the reliefs as prayed in the interim application are allowed.

5. Since the order of winding up is already set aside by consent of parties by an order passed by the Division Bench of this court, applicant has made out a case for relief as prayed.

6. The applicant has also made out a case for condonation of delay in the interim application. I, therefore, pass the following order :-

(a) Interim application is made absolute in terms of prayer clauses (a) and (b).

(b) The Registrar of Company to comply with this order within two weeks from the date of communication of this order.

(c) The parties as well as the Registrar of Company to act on the authenticated copy of this order. No order as to costs.

[R.D.DHANUKA, J.]