

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION (L) NO. 558 OF 2020**

Osia Gems Private Limited

...Petitioner

Versus

Union Of India Through Ministry Of
Corporate Affairs & Ors.

...Respondents

Mr. Sanjay Jain a/w. G. Mistry a/w. M. Shah i/b. Karan K. Vyas for the
Petitioner.

**CORAM : A. A. SAYED &
ANUJA PRABHUDESSAI, JJ.
DATED : 18th February, 2020**

P.C.:

Learned Counsel for the Petitioner fairly states that he has not served the Respondent No. 3. So far as the Respondent No. 2 is concerned, the same is a company incorporated in Belgium.

2. We find that the Petition is filed in anticipation of the order to be pronounced by the NCLT. Learned Counsel points out that order has been pronounced yesterday i.e. 17th February, 2020 by NCLT. Learned Counsel for the Petitioner states that except the alternative prayer in prayer clause (g), he is not pressing other prayers in the Writ Petition. The said prayer reads as under:

“Pending the hearing and final disposal of the instant Petition, this Hon’ble Court be pleased to stay the operation and implementation of the impugned order to be pronounced on 17-02-2020 or thereafter for a period of 2 weeks from the said

order being made available to the Petitioner to enable the Petitioners to avail statutory reliefs;"

3. Having heard learned Counsel for the Petitioner, we are not inclined to intervene at this stage and entertain the Petition. We however grant a liberty to the Petitioner to mention the matter before the NCLT to make the copy of the order dated 17th February, 2020 available expeditiously to enable the Petitioner to avail the statutory remedy of filing the Appeal before NCLAT.

4. The Petition is dismissed with the aforesaid liberty.

(ANUJA PRABHUDESSAI, J.)

(A. A. SAYED, J.)