

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

SUMMONS FOR JUDGMENT NO.55 OF 2019

IN

COMMERCIAL SUMMARY SUIT NO.1367 OF 2019

Vipin Bhimraj Shah

.. Plaintiff

v/s.

Shirt Company (India) Pvt.Ltd. & Anr.

.. Defendants

Mr. Rishabh Deshpande a/w Sarosh Mohamed i/b. M/s. Praxis Legal for the plaintiff.

Mr. Rahul Raut i/b. M/s. N.N. Vaishnawa & Co. for defendant no.2.

CORAM : A. K. MENON, J.

DATED : 9TH JUNE, 2022.

P.C. :

1. The learned counsel for the plaintiff states that by virtue of order dated 22nd December, 2021 passed in Interlocutory Application No.871/21 in Company Petition no.2534/I&BP/NCLT/MAH/2019 passed by the National Company Law Tribunal ("NCLT"), Mumbai Bench, the defendant no.1 has been ordered to be liquidated. Hence, Summons for Judgment is sought to be withdrawn.

2. Accordingly, Summons for Judgment stands disposed as withdrawn.
3. Liberty to apply if the occasion so arises and if the plaintiff desires to prosecute the suit against the company in liquidation.
4. On behalf of the defendant no.2, extension of time is sought to file written statement in the registry. Copy of the written statement has been served today on Advocate for the plaintiff.
5. Written statement to be filed in the registry within one week from today.
6. Suit to come up for framing issues in the normal course.
7. Summons for Judgment is disposed in the above terms.

(A. K. MENON, J.)