

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
[COMMERCIAL DIVISION]

SUMMONS FOR JUDGMENT NO.95 OF 2014

IN

COMMERCIAL SUMMARY SUIT NO.52 OF 2013

Cecil Webber Engineering Ltd.

.. Applicant-Plaintiff

Vs.

Birla Cotsyn (India) Ltd.

.. Defendant

Mr. Netaji Gawde, with Mr. Rahul Sanghvi, i/by Sanjay Udeshi & Co., for the
Applicant-Plaintiff.

None for the Defendant.

CORAM : A. K. MENON, J.

DATE : 16TH FEBRUARY, 2022.

P.C. :

1. Learned counsel for the applicant-plaintiff states that the defendant-company has been ordered to be wound-up. Liquidator has been appointed and moratorium declared in 2018 has ceased to exist. In view thereof, he seeks leave to withdraw the Summons for Judgment. Learned counsel seeks time to obtain instructions on whether the plaintiff proposes to continue with the Suit.

2. Accordingly, I pass the following order :-

(i) Summons for Judgment is disposed as infructuous.

(ii) List the Suit on 23rd February 2022 under the caption
“for directions”.

(A.K. MENON, J.)