



IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORIGINAL ORDINARY APPELLATE JURISDICTION  
IN ITS COMMERCIAL DIVISION

**INTERIM APPLICATION NO. 2248 OF 2025**  
**IN**  
**COMPANY PETITION NO. 593 OF 2015**

Sanjeev Kapoor

... Applicant.

**In the matter between:**

Nina Concrete Systems Pvt.Ltd.

... Petitioner.

**Versus**

Orbit Corporation Ltd. and Anr.

... Respondents.

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*Mr. Yogesh Gaikwad i/by Bilawala & Co. for the Applicant.*  
*Mr. Harsh Moorjani, for Official Liquidator.*  
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**Coram : Sharmila U. Deshmukh, J.**

**Date : July 23, 2025**

**P.C.:**

1. Mr. Moorjani, learned counsel appearing for the Official Liquidator submits that though the application seeks condonation of delay in filing the affidavit of proof of debt, the Applicant has already filed a suit for specific performance which is pending pursuant to the leave granted by order of 5<sup>th</sup> September, 2019. He submits that the Applicant is required to elect as he cannot continue with the suit and at the same time raise a claim with the Official Liquidator.
2. Learned counsel appearing for the Applicant seeks time to take instructions. At his request, stand over to **6<sup>th</sup> August, 2025.**

**[Sharmila U. Deshmukh, J.]**