

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION
INTERIM APPLICATION NO. 2166 OF 2025
IN
COMPANY PETITION NO. 901 OF 2015**

Kamlakar Ramchandra Yadav

Prop. Of Suvarna Interior Decorators

...Applicant/Plaintiff

Versus

EBS Worldwide Services Ltd.

...Defendant

Ms Drishti Khurana i/b Mr. Atif Shaikh for Applicant.

CORAM : ARIF S. DOCTOR, J.

DATE : 20th NOVEMBER, 2025.

P.C.

1 The captioned interim application seeks setting aside of an order dated 2nd February 2018, by which the caption company petition came to be dismissed.

2 Heard, learned counsel for the Applicant. Learned Counsel has taken me through the interim application and pointed out that the order dismissing the company petition was never made known to the Applicant since the Advocate, who was handling the matter had migrated from India.

3 Having due regard to the averments made in the interim application, I am satisfied that the substantive cause of justice would best be served if the

Petition is to be restored and the order dismissing the same for want of prosecution be set aside.

4 Hence, the interim application is allowed in terms of prayer clauses (a) and (b) which read thus:

“A. This Hon'ble Court may be pleased to condone the delay, if any, to file the present Application.

B. This Hon'ble Court may be pleased to set aside the order dated 02/02/2018 and restore the Company petition no. 901 of 2015 to file.”

5 Interim application is accordingly disposed of.

[ARIF S. DOCTOR, J.]