

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/COMPANY APPLICATION NO. 48 of 2023****In R/COMPANY PETITION NO. 356 of 2016**

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**ARVINDBHAI MADHUBHAI PATEL, SUSPENDED MANAGEMENT OF
MASS INFRASTRUCTURE PVT. LTD**

Versus**OFFICIAL LIQUIDATOR OF MASS INFRASTRUCTURE PVT. LTD. & ORS.**

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Appearance:

ARJUN R SHETH(7589) ADVOCATE with**MS PRITHA MITRA ADVOCATE for the Applicant(s) No. 1****DS AFFIDAVIT NOT FILED (FOR FRESH NOTICE)(4501) for the
Respondent(s) No. 4****KAMLESH B PATEL(8636) for the Respondent(s) No. 7****MR CHIRAYU A MEHTA(3256) for the Respondent(s) No. 1****MR PM DAVE(263) for the Respondent(s) No. 2****NOTICE SERVED for the Respondent(s) No. 3,5,6,8****SERVED BY RPAD (N) for the Respondent(s) No. 5**

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CORAM:HONOURABLE MRS. JUSTICE MAUNA M. BHATT**Date : 14/11/2025****ORAL ORDER**

1. This company application is filed seeking recalling of the order dated 22.01.2020 passed by this Court in Company Petition No. 356 of 2016 directing winding up of the company by the name of Mass Infrastructure Private Limited.

2. Heard learned advocate Mr. Arjun Sheth for the

applicant. Learned advocate submitted that the company name Mass Infrastructure Private Limited was ordered to be wound up by this Court in Company Petition No. 356 of 2016. However, on account of settlement of dues by the applicant (Arvind Madhubhai Patel) who is suspended management of Mass Infrastructure Private Limited Pvt. Ltd, this application is filed recalling of the order dated 22.01.2020.

2.1 Learned advocate submitted that applicant as suspended management has settled the dues of the company in liquidation and there is No Due Certificate dated 22.03.2021 at page 72 of the Original Applicant of Company Petition No. 356 of 2016. In the present proceedings, original applicant of Company Petition No. 356 of 2016 is made party and he has no objection if this application is allowed by recalling the order dated 22.01.2020.

3. Learned advocate Mr. Chirayu Mehta appeared for Official Liquidator and submitted that reply has been filed in this application and erstwhile management of the company has failed in submitting audited balance sheet of the company in liquidation for the period of 2014 to 2020. The statement of affairs as mandated under Section 454 of the Companies Act, 1956, has also not been filed. Therefore, at this stage it is

difficult for the office of the Official Liquidator to ascertain the outstanding claim against the company in liquidation and therefore a publication inviting outstanding claim, if any, against the company in liquidation is required before entertaining the present application.

4. Learned advocate for the applicant in context of the above submission, upon instructions requested for publication in the newspaper inviting objections, if any against recall of winding up order dated 22.01.2020 in Company Petition No. 356 of 2016. Accordingly, the applicant is directed to invite objection by paper publication in English and Gujarati Newspaper which is widely circulated in Gujarat inviting objection if any against recalling of the winding up of order dated 22.01.2020 and Company Petition No. 356 of 2016. The said exercise of publication is to be completed within a period of two weeks from the receipt of this order.

Matter to be listed on 09.01.2026.

(MAUNA M. BHATT,J)

SHIVANI SHUKLA

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: SHIVANI SHUKLA(HC02350), ENGLISH STENO GRADE-II/, at High Court of Gujarat on 18/11/2025 11:23:34