

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE THE CHIEF JUSTICE MR. A.J.DESAI

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

FRIDAY, THE 25TH DAY OF AUGUST 2023 / 3RD BHADRA, 1945

CO.APPEAL NO. 5 OF 2023

AGAINST THE ORDER Co.Appl. 79/2023 OF HIGH COURT OF KERALA
APPELLANT/S:

SHAFASIL TRADERS AND CONTRACTORS (P) LTD.,
XIV-585A, XIV/585B, AZHEEKODE, ERIYAD BLOCK,
THRISSUR - 680 666, REPRESENTED BY DIRECTOR
MUHAMED SAGEER, S/O. ABDUL JABBAR, AGED 38 YEARS,
RESIDING AT PADINJAREVEETIL HOUSE, AZHEEKODE
KODUNGALLORE, THRISSUR., PIN - 680666

BY ADVS.
M.SASINDRAN
S.SHYAM KUMAR
T.H.ARAVIND

RESPONDENT/S:

- 1 THE OFFICIAL LIQUIDATOR,
M/S. TRAVANCORE RAYONS LIMITED - IN LIQUIDATION,
HIGH COURT OF KERALA, ERNAKULAM ., PIN - 682031
- 2 SOUTH INDIAN SCRAP TRADERS,
32/366P, OPP: JUMA MASJID, PUTHIYA ROAD,
PALARIVATTOM, KOCHI, KERALA, REPRESENTED BY THE
PROPRIETOR, SHRI.P.A.MOHAMMED ALI, RESIDING AT
PALLACHI (H), ARKAKKADAVU, VENNALA.P.O., KOCHI .,
PIN - 682028

BY ADVS.
K.MONI
M.GOPIKRISHNAN NAMBIAR
POOJA MENON

THIS COMPANY APPEAL HAVING COME UP FOR ADMISSION ON
25.08.2023, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

J U D G M E N T

Dated this the 25th day of August, 2023

A. J. Desai, C. J.

By way of the present appeal filed under Section 483 of the Companies Act, 1956, r/w Section 5 of the Kerala High Court Act, 1958, the original applicant has challenged the order dated 27.06.2023 in Co. Appl. No. 79 of 2023 in Co. Appl. No. 53 of 2023 in Co. Petition No. 14 of 2002 by which the learned Single Judge refused to extend the period of depositing the amount offered by the present appellant towards sale consideration.

2. A judgment dated 07.08.2023 in Co. Appeal No. 53 of 2023 in Co. Petition No. 14 of 2002 passed by this Court, arising from the very same common order, has been placed before us.

In view of the aforesaid judgment, the present appeal will not survive.

The company appeal is accordingly dismissed.

**Sd/-
A. J. DESAI
CHIEF JUSTICE**

**Sd/-
V. G. ARUN
JUDGE**

APPENDIX OF CO.APPEAL 5/2023

PETITIONER ANNEXURES

ANNEXURE A1	A TRUE COPY OF THE C.A.NO. 79 OF 2023 IN C.A.NO.53 OF 2023 IN C.P.NO. 14/2002 ALONG WITH AFFIDAVIT AND ALL ANNEXURES THERE TO
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