

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMPANY APPLICATION (L) NO. 90 OF 2015
IN
COMPANY PETITION NO. 95 OF 2014

M/s. Resurgere Mines and Minerals India Limited ... Applicant

IN THE MATTER BETWEEN :

M/s. Sundaram Finance Company ... Petitioner

Versus

M/s. Resurgere Mines and Minerals India Limited ... Respondent

Mr. Ashutosh Gole for the Applicant / Respondent.

Ms. S.I. Joshi for the Petitioner.

Ms. Pratibha, Assistant OL, present.

CORAM : S.J. KATHAWALLA, J.
DATED : 25TH MARCH, 2015

P.C.:

1. Heard learned Advocates appearing for the parties. By consent, the above Application is allowed in terms of prayer clause (a), which is reproduced hereunder :

“(a) That the judgment and order dated 23th December, 2014 be suitably modified and the Applicant be permitted to sell shares of its subsidiary company viz. Warana Minerals Private Limited to the prospective purchaser and pay the balance amount out of Rs.45,00,000/- as per order dated

23rd December, 2014 with proportionate interest to the original Petitioner out of the said sale proceeds”.

2. The statement made by the Applicant in his Affidavit in support of the above Application that *"the Applicant shall immediately pay the balance amount as per order dated 23rd December, 2014 out of the sale proceeds and continue to abide by the order dated 23rd December, 2014 until completion of the sale transaction and payment of the balance amount as per order dated 23rd December, 2014 out of sale proceeds"* is accepted.

3. The above Application is accordingly disposed of.

(S.J. KATHAWALLA, J.)