

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**ORDINARY ORIGINAL CIVIL JURISDICTION****COMPANY PETITION NO.259 OF 2014**

M/s. Jitsan Enterprises

...Petitioner

vs.

M/s. Ciron Drugs And Pharmaceuticals Pvt. Ltd.

...Respondent

.....

Mr. Ashish Kamat, a/w. Mr. Nilesh Bamne, i/b. V. Deshpande & Co., for the Petitioner.

Mr. Venkatesh Dhond, Senior Advocate, a/w. Mr. Shyam Kapadia and Mr. Naishadh Bhatia, i/b. Crawford Bayley & Co., for the Respondent.

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CORAM: S.C. GUPTE, J.**DATE : 28 SEPTEMBER, 2015.****P. C. :-**

. By consent of the parties, the petition is disposed of in the following terms :

(i) The Respondent shall pay a sum of Rs. 50 lacs to the Petitioner within a period of five weeks from today. On payment of this amount, which shall be in full and final settlement of the Petitioner's claim against the Respondent, the Company Petition shall stand dismissed.

(ii) In the event the amount is not paid within the time provided for above, the petition shall stand revived and admitted, without reference to this Court and shall be made returnable within six weeks from the date of expiry of five weeks and advertised in two local newspapers i.e. Free Press Journal (in English) and Maharashtra Times (in Marathi) and in the

Maharashtra Government Gazette. In that case, the present settlement shall not be construed as an admission on the part of the Petitioner for restricting its claim.

(iii) Upon such default, the Petitioner shall, within one week from the date of default, deposit with the Prothonotary and Senior Master, a sum of Rs.10,000/- (Rupees Ten Thousand) towards publication charges, failing which the Company Petition shall stand dismissed for want of prosecution.

(iv) The Respondent shall also furnish to the Petitioner copies of all the "C" Forms filed by the Respondent with the Sales Tax Department in respect of the sales, which are the subject matter of the present petition. Copies of the "C" Forms shall be furnished within a period of three weeks from today.

(v) Stand over to 16 November 2015 for noting compliance.

(S. C. GUPTE, J.)

CERTIFICATE

Certified to be true and correct copy of the original signed
Judgement/Order.