

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMPANY PETITION NO. 350 OF 2014

M/s. Shiv Aum Steels Private Limited ... Petitioner

Versus

M/s. Hotel Horizon Private Limited ... Respondent

Mr. Barve i/b. B.K. Barve and Company for the Petitioner.

Mr. Nikunj Mehta a/w. Mr. Rubin Vakil i/b. Daya Gupta for the Respondent.

CORAM : S.J. KATHAWALLA, J.
DATED : 2ND FEBRUARY, 2015

P.C.

1. The learned Advocate appearing for the parties have tendered the Consent Terms dated 31st January, 2015. They submit that the Consent Terms be taken on record and the above Company Petition be disposed of in terms of the Consent Terms. The Consent Terms are taken on record and marked 'X' for identification. The Consent Terms are signed by the Director of the Petitioner and the Authorized Signatory of the Respondent.

2. It is clarified that in the event of the Respondent Company committing default in payment of any of the agreed installments, the Company Petition shall without reference to this Court revive, stand admitted, made returnable within six weeks from the date of default and advertised in two local newspapers i.e. Free Press Journal (in English) and

Navshakti (in Marathi) and in the Maharashtra Government Gazette. The Petitioner shall deposit an amount of Rs.10,000/- with the Prothonotary and Senior Master of this Court towards publication charges, within two weeks from the date of default, with intimation to the Company Registrar failing which the Petition shall stand dismissed for non prosecution. Notice under Rule 28 of the Companies (Court) Rules, 1959 shall also stand waived on behalf of the Company.

3. The Company Petition is accordingly disposed of.

(S.J. KATHAWALLA, J.)