

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

COMPANY PETITION NO.452 OF 2014

Lafarge Aggregate (India) Pvt. Ltd.	...	Petitioner
versus		
Pandey Earthworks Pvt. Ltd.	...	Respondent

Mr. Vasino Siddiqui i/by Mr. S.U.Pandey, for Petitioner.
Mrs. Rajani Sinha, for Respondent.
Mr. Sudhir D. Pandey, Director of Respondent, present.

CORAM: S.J. KATHAWALLA, J.

DATE: 27th FEBRUARY, 2015

PC.

1. The Petitioner is allowed to amend the above Company Petition to the extent of changing the name of the Petitioner from “Lafarge Aggregate (India) Pvt. Ltd.” to “Lafarge Aggregates and Concrete India Pvt. Ltd”. Amendment to be carried out on or before 02-03-2015. Re-verification is dispensed with.

2. Heard the learned Advocates for the parties and by consent, the following order is passed :

(i) Mr. Sudhir D. Pandey, the Director of the Company who is present in Court, undertakes to pay an amount of Rs.3,00,000/- in full and final settlement of the claim of the Petitioner which is the subject matter of the above Company Petition. Mr. Pandey further undertakes to pay the said

amount of Rs.3,00,000/- on or before 15-04-2015 along with interest thereon from the date of this order upto the date of payment @ 15% p.a. The undertakings are accepted.

(ii) In the event of the Company committing default in payment of the amount as undertaken, the above Company Petition shall without reference to this Court be revived and stand allowed in terms of prayer clauses (a) and (b), which are reproduced hereunder :

(a) that the Company Viz. Pandey Earthworks Pvt. Ltd., Registered under No.CIN U45200MH19910TC059667 be ordered to be wound up by and under the orders and directions of this Hon'ble Court;

(b) that this Hon'ble Court be pleased to appoint the Official Liquidator, High Court, Bombay or some other fit and proper person as the Liquidator of the Company with all powers under the provisions of the Companies Act, 1956 including interalia to forthwith take charge of all the assets, documents, records and business of the Company.

3. The Company Petition is accordingly disposed of.

(S.J.KATHAWALLA, J.)