

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORDINARY ORIGINAL CIVIL JURISDICTION  
COMPANY PETITION NO. 813 OF 2014**

HDFC Bank Limited

... Petitioner

Versus

Hakoba Lifestyle Limited

... Respondent

Mr. Sahil Saiyed i/b. Wadia Ghandy & Company for the Petitioner.  
Mr. Sunil Patel i/b. M/s. Sunil & Company for the Respondent.

**CORAM : S.J. KATHAWALLA, J.**  
**DATED : 29<sup>TH</sup> JANUARY, 2015**

**PC.**

1. The learned Advocate appearing for the Respondent undertakes to file Vakalatnama on or before 30<sup>th</sup> January, 2015. The undertaking is accepted.
2. Heard the learned Advocates appearing for the parties and the following order is passed by consent :
  - i. The Respondent Company agrees and undertakes to pay an amount of Rs.173 Lacs to the Petitioner in full and final settlement of the claim of the Petitioner against the Respondent on or before 12<sup>th</sup> February, 2015.
  - ii. Upon payment of the entire amount as undertaken by the Respondent in clause (i) above, the parties shall have no claim against each other.

iii. The Respondent Company has agreed that in the event of the Respondent Company committing default in payment as undertaken in Clause (i) hereinabove, 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. In the event of such default the Official Liquidator shall forthwith stand appointed as provisional Liquidator and shall immediately take charge of the records as well as the movable and immovable properties / assets of the Company. Notice under Rule 28 of the Companies (Court) Rules, 1959 shall also stand waived on behalf of the Company.

iv. The Company Petition is accordingly disposed of.

**(S.J. KATHAWALLA, J.)**