

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMPANY PETITION NO. 583 OF 2014

M/s. Consulting Corp ... Petitioner

Versus

M/s. Wizcraft International Entertainment Pvt. Ltd. ... Respondent

Mr. A.W. Ansari for the Petitioner.

Mr. Lalit Jain for the Respondent.

CORAM : S.J. KATHAWALLA, J.
DATED : 20TH JANUARY, 2015

PC.

1. 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. 4 Lacs to the Petitioner in full and final settlement of the claim of the Petitioner against the Respondent Company on or before 31st January, 2015.

ii. Since the Respondent Company has claimed that it has not received the invoice which is annexed and marked Exhibit-B-3 at page 18 of the Petition, the Respondent Company shall issue a duplicate copy of the same in favour of the Respondent and forward the same to the Advocate for the Respondent on or before 23rd January, 2015.

iii. Upon payment of the amount as undertaken by the Respondent

in clause (i) above, the parties shall have no claim against each other.

iv. In the event of the Respondent Company committing default in making payment as agreed, 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.

v. The Company Petition is accordingly disposed of.

(S.J. KATHAWALLA, J.)