

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

**COMPANY PETITION NO.8 OF 2013
WITH
COMPANY APPLICATION NO.441 OF 2013**

Enkay Technologies (India) Pvt. Ltd. ... Petitioner
V/s.
Eftec Shroff (India) Ltd. ... Respondent

Mr. Shrivardhan Deshpande i/by M/s. Desai and Diwanji, for Petitioner.
Mr. Rakesh Singh i/by M/s. M.VKini and Co., for Respondent.

CORAM: S.J. KATHAWALLA, J.

DATE: 5th JANUARY, 2015

PC.:

1. By an order dated 16-12-2014, this Court passed the following order :

“The above Petition is taken up for hearing and final disposal. However, the learned Advocates appearing for the parties states that the Petitioner as well as the Respondent are willing to amicably settle the matter and withdraw the above Petition. Since the above Petition has been admitted and advertised in two local newspapers, the withdrawal of the above Petition will have to be advertised and claims will have to be invited from the Workers / Creditors of the Respondent. In view thereof, the Company Registrar shall issue advertisement in 'Free Press Journal' (in English) and 'Nav Shakti' (in Marathi) stating that

the claim of the Petitioner is settled by the Respondent and the Petitioner has prayed for withdrawal the above Petition. The Company Registrar through the said advertisement also invite claims from the Workers / Creditors of the Respondent, if any. The cost of advertisements shall be borne by the Respondent. Stand over to 5th January, 2015”.

2. Pursuant thereto, the Company Registrar has issued advertisements and filed a compliance report dated 05-01-2015, interalia stating that the Registry has not received any claims in response to the said advertisement.

3. The statement made by the learned Advocate for the Petitioner that the claim of the Petitioner is settled by the Respondent and the Petitioner now has no claim against the Company is accepted. The Company Petition as well as the Company Application No.441 of 2013 are disposed of as withdrawn. The learned Advocate for the Respondent Company shall pay an amount of Rs.13,056/- to the Registry towards publication charges. Upon receipt of the same, the Registry shall forthwith make payment to the Publication House.

(S.J.KATHAWALLA, J.)