

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Company Petition No. 154 of 2014 (O&M)

M/s Asphalt Carpet Constructions Company Pvt. Ltd.
.. Petitioner

v.

M/s Shivalik Site Planners Pvt. Ltd.
.. Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL

Present: Mr. O. P. Goyal, Senior Advocate with
Ms. Shamita Kaushik, Advocate for the petitioner.

Mr. Munish Kapilla, Advocate for the respondent.

...

Rajesh Bindal J.

This order will dispose of two petitions bearing Company Petitions No. 154 and 155 of 2014.

The petitioner in both the petitions is same, however, the respondents are two different companies belonging to one group.

Learned counsel for the respondent, on instructions from Ghansham Sharma, who is present in court in person and is Director in both the companies, submitted that entire dispute with the petitioner stands settled and for the payment of the amount due, a demand draft bearing No. 190366 dated 7.9.2015 amounting to ₹ 1,76,331/- and five cheques bearing no. 076406 dated 14.11.2015 amounting to ₹ 2,25,000/-; No. 998845 dated 10.10.2015 amounting to ₹ 2,00,000/-; No. 998846 dated 31.11.2015 amounting to ₹ 2,35,418/-; No. 076410 dated 30.1.2015 amounting to ₹ 3,39,582/- and No. 998849 dated 8.12.2015 amounting to ₹ 1,50,000/- drawn on Yes Bank, have been issued, which will clear the entire amount due from the respondent-company to the petitioner-company.

Learned counsel for the petitioner submitted that there is a little over-writing in two cheques bearing No. 998845 and 998846, which may be required to be replaced, as the bank may not return the same on account of over-writing.

Learned counsel for the respondent submitted that the aforesaid two cheques shall be got replaced by him within one week.

Learned counsel for the petitioner submitted that subject to the condition that the cheques issued by the respondent are cleared, the prayer made in the present petitions has been rendered infructuous.

Ordered accordingly.

However, subject to the condition that in case any of the cheque remains uncleared, the petitioner shall be at liberty to get the present petitions revived.

(Rajesh Bindal)
Judge

8.9.2015
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