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

COMPANY PETITION NO. 214 OF 2015

M/s Basava Constructions Pvt. Ltd. ...Petitioner
VS
M/s The Bombay Dyeing and Manufacturing Co.
Ltd. ...Respondent

.....
Ms Priyanka Pawar i/b Ms Charvy Hatkanangalekar for the Petitioner
Ms Smruti Kanade i/b Negandhi, Shah & Himaytullah for the Respondent
.....

CORAM : B. P. COLABAWALLA J.

AUGUST 10, 2016

P.C. :

On the last occasion, namely, 20 July, 2016, the learned counsel appearing on behalf of the Respondent Company had stated that they were willing to pay a sum of Rs.5 Lacs (before deduction of the TDS) towards full and final settlement of the claim made by the Petitioner in the present Company Petition. The Petitioner on its part had agreed to the same. In this light, the matter was placed for settlement today.

2 Today, the learned counsel appearing on behalf of the Respondent Company has handed over the “**Demand Draft**” in the sum of Rs.4,81,589/- to the Petitioner in the full and final settlement

of the claims of the Petitioner in the present Company Petition. The learned Advocate for the Respondent Company further states that this amount is paid after deduction of the TDS as well as WCT aggregating to Rs.18,411/-. She states that the Respondent Company undertakes to furnish the requisite certificates evidencing payment of these taxes to the requisite authorities within a period of two months from the date when the taxes are deposited with the requisite authorities. The said statement is accepted.

3 Considering that the payment has now been made by the Respondent Company to the Petitioner, the learned Counsel appearing on behalf of the Petitioner seek leave to withdraw this Company Petition. In view of the fact that the Company Petition is not yet admitted or advertised, leave is granted and the Company Petition is dismissed as withdrawn. No order as to costs.

(B. P. COLABAWALLA J.)