

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

COMPANY PETITION NO.735 OF 2015

Strata Exim Private Limited ... Petitioner
Versus
M/s Provogue (India) Limited ... Respondent

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Mr. S.L. Shah i/b Shah Legal for the Petitioner.
Mr. Abhishek P. Deshmukh i/b Sanjiv A. Sawant for the Respondent.
Mr. Jaywant Mulik, Legal Manager of M/s Provogue (India) Limited.

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CORAM : S.C.GUPTE, J.

DATE : 23 DECEMBER 2016.

P.C. :

. The company petition is disposed of by consent of the parties in terms of following order :-

(i) The Petitioner and the Respondent have amicably settled the dispute and accordingly the Respondent Company agrees to pay the amount of Rs.51,86,000/- (Rs. Fifty One Lakh Eighty Six Thousand Only) as full and final settlement to the Petitioner in 12 equal installments by cheque as mentioned below :-

Cheque No.	Date	Amount	Drawn on
'000569	15/01/2017	4,32,167/-	Andhra Bank
'000570	15/02/2017	4,43,167/-	Andhra Bank
'000571	15/03/2017	4,43,167/-	Andhra Bank
'000572	15/04/2017	4,43,167/-	Andhra Bank
'000573	15/05/2017	4,43,167/-	Andhra Bank

'000574	15/06/2017	4,43,167/-	Andhra Bank
'000575	15/07/2017	4,43,167/-	Andhra Bank
'000576	15/08/2017	4,43,167/-	Andhra Bank
'000577	15/09/2017	4,43,167/-	Andhra Bank
'000578	15/10/2017	4,43,167/-	Andhra Bank
'000579	15/11/2017	4,43,167/-	Andhra Bank
'000580	15/12/2017	4,43,167/-	Andhra Bank
	Total	51,86,000/-	

(ii) Upon payment of the entire amounts of Rs.51,86,000/- (Rs. Fifty One Lakh Eighty Six Thousand Only) by the Respondent as undertaken in clause (i) above, the parties shall have no claim against each other;

(iii) In the event of the Respondent Company committing any default in payment of the aforestated installments, the Company Petition shall stand revived and admitted without reference to this Court. The Petitioner shall, in such a case, be entitled to apply for a returnable date for the purpose of issuing the advertisement of the petition on that basis;

(iv) In the event of admission of the petition, the Respondent shall waive notice under Rule 28 of Companies (Court) Rules, 1959;

(v) No order as to costs.

(S.C.GUPTE, J.)