

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

COMPANY PETITION NO. 132 OF 2013

Wall Street Finance Limited

.. Petitioner

Vs.

Patel Holdings Limited

.. Respondent

Mr.Dinesh Kumar Jain i/b PKA Advocates for petitioner.

Ms.Shilpa Kapil for respondent.

**CORAM : K.R.SHRIRAM, J.
DATE : 4TH JANUARY, 2016**

P.C.

The petitioner in this petition has also filed a summary suit bearing No.2479 of 2012 which is pending before the City Civil Court, Bombay. The counsel for the respondent states that the City Civil Court, Bombay has disposed of the summons for judgement No.186 of 2012 by granting unconditional leave to the respondent. The counsel for the respondent also states that the facts and documents relied on in this petition are identical to the documents, facts and issues raised in the summons for judgement. The defence also is identical. The counsel appearing for the petitioner also agreed to this. Therefore, as one Court has considered and found that the defence raised by the respondent is bona-fide and not moonshine while granting unconditional leave, I see no reason why this petition should be admitted. The petition, therefore, stands dismissed.

(K.R. SHRIRAM, J.)