



faith pursuing his remedy in this Court, which is unable to entertain the claim only on account of disputed question of facts, which placed this Petition beyond summary jurisdiction of this Court under Section 433 of the Companies Act, 1956.

4           With this clarification, the Company Petition is disposed of. All contentions of both parties are kept open to be agitated in the suit that may be filed by the Petitioner against the Respondent Company.

( B. P. COLABAWALLA J. )