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

**COMPANY APPLICATION (L) NO. 57 OF 2017
IN
COMPANY PETITION NO. 985 OF 2014**

M/s Hitech Engineering Corporation India Pvt.Ltd. ..Applicant

In the matter between

DMSONS Metal Pvt.Ltd.

Vs.

M/s Hitech Engineering Corporation India Pvt.Ltd.

Mr. Shriram S. Kulkarni for Applicant.

Mr. Anil Agarwal, Original Petitioner.

CORAM: A.S. GADKARI

DATE: 23 JUNE 2017.

P.C.:

1] The learned Counsel for the Petitioner submitted that his client has now received installment upto 31st May 2017. He submitted that, in view of the Order passed by this Court on 14.3.2017, the respondent may be directed to pay the interest on delayed payment.

2] Mr. Kulkarni, the learned Counsel for the applicant (original respondent) submitted that applicant-Company was suffering from

financial crisis and therefore could not make payment in time. He on instructions submitted that hereinafter his client will scrupulously abide by the directions of the Court and will not commit delay in making payment to the petitioner. The said statement is accepted.

3] If the applicant-Company commits any default in making payment in future, the petitioner is at liberty to take out appropriate proceedings for recovery of interest on delayed payment.

4] In view of the above, the application is allowed in terms of prayer clause (a) and (b).

(A.S. GADKARI, J.)