

Amk

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

**COMPANY PETITION NO. 835 OF 2015
WITH
COMPANY APPLICATION (L) NO. 92 OF 2016**

Ekdant Realtors Pvt. Ltd.	.. Petitioner
Vs.	
Visual Lights Pvt. Ltd.	.. Respondent

Mr. Rajesh Talekar i/b Prime Legem for the Petitioner.
Mr. Asif Y. Memon i/b K. S. Misra for the Respondent.
Mr. Rahul Gupta, Director of Respondent present.

CORAM : A. S. GADKARI, J.
DATE : 10th JULY, 2017.

P. C. :

1. Learned counsel for the parties jointly tendered Consent Terms dated 10.07.2017. The said Consent Terms are duly signed by the respective parties and their signatures have been identified by their respective Advocates. The said Consent Terms are taken on record and marked 'X' for identification. As per the said Consent Terms, the last date of installment to be paid by the respondent to the petitioner is 25.12.2019. The undertakings given in the Consent Terms are accepted as undertakings given to this Court.

It is however made clear that in case of any single default by the respondent in making payment to the petitioner, the present petition shall stand automatically admitted without further reference to this Court. In

such an event, from the date of admission, the petitioner shall advertise notice of admission of petition in two local newspapers, namely, Free Press Journal (in English) and Navshakti (in Marathi) and official gazette of the Maharashtra State. It is further made clear that non publication of the notice or delay causing in publication of the notice would not affect the right of the petitioner in pursuing the petition.

The petitioner shall deposit a sum of Rs.10,000/- with the Prothonotary and Senior Master of this Court with due intimation to the Company Registrar towards publication charges within a period of two weeks from the date of default.

2. The notice under Rule 28 of the Company (Court) Rules, 1959 shall stand waived.
3. The petition is disposed off in terms of the Consent Terms.
4. In view of the disposal of the petition, the Company Application (L) No. 92 of 2016 does not survive and stands disposed off.

[A. S. GADKARI, J.]