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

COMPANY APPLICATION (LODGING) NO.74 OF 2017
IN
COMPANY PETITION NO.229 OF 2015

M/s.Vadraj Cement Ltd.
(formerly known as M/s.ABG Cement Ltd.) ...Applicant

IN THE MATTER BETWEEN :

M/s.MASYC Projects Pvt. Ltd. ...Petitioner
V/s.

M/s.Vadraj Cement Ltd.
(formerly known as M/s.ABG Cement Ltd.) ...Respondent

Mr.Nitin Thakkar, Senior Counsel with Mr.Rohit Gupta, Ms.Anjali Mishr and Ms.Rashi Agarwal i/b S.K. Legal Associates LLP for the Applicant / Respondent.

Mr.Tarun Sharma i/b Mr.Nilesh Patil for the Petitioner.

CORAM : R.D. DHANUKA, J.
DATE : 8TH MARCH, 2017.

P.C. :-

1. By consent of the parties, the order dated 28th July, 2016 passed by this Court is modified only to the extent as stated below :-

a). Mr.Thakkar, the learned senior counsel on instruction from Mr.V.P. Sharma, Managing Director of the respondent states that the respondent would pay the installment for the month of March, 2017

on or before 15th May, 2017 and for the month of April, 2017 on 15th June, 2017. The remaining installments from the Month of May, 2017 shall be paid on the 15th day of each month thereafter from 15th July, 2017 onwards till the entire payment with interest is paid. The parties have also agreed that the respondent would also pay interest at the rate of 10% p.a. to the petitioner from the date of the respondent committing default in accordance with the order dated 28th July, 2016 read with the order dated 22nd December, 2016. The payment of interest would be paid in the last installment.

b). It is made clear that except the terms modified aforesaid, rest of the terms of the orders dated 28th July, 2016 and 22nd December, 2016 would remain and continue.

c). The statement made by the learned senior counsel on behalf of the applicant (original respondent) is accepted as an undertaking to this Court.

d). The Company Application (Lodging) No.74 of 2017 is disposed of in aforesaid terms. No order as to costs.

(R.D. DHANUKA, J.)