

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMPANY PETITION NO.714 OF 2015**

Steelfab Scaffoldings & Engineering Pvt. Ltd. .. Petitioner

Vs.

Hotel Horizon Pvt. Ltd. .. Respondent

Ms.Madhu Lad i/by M/s.Udaipuri & Co. for the petitioner.

Mr.Paritosh Jaiswal a/w Mr.Rubin Vakil i/by Mr.Pankaj Dwivedi for the respondent.

CORAM : R.D. DHANUKA, J.

DATE : 6th April 2017

P.C. :

. Learned counsel appearing for the respondent invited my attention to a copy of cheque showing payment of Rs.4 lakh issued by the respondent in favour of the petitioner and also an endorsement made by the learned advocate for the petitioner on the photocopy of the said cheque stating that he has been instructed to withdraw the Company Petition No.714 of 2015 upon realisation of the said cheque and he undertook to withdraw the company petition.

2. My attention is also invited to the statement of account of the petitioner with the HDFC Bank which indicates that the said cheque of Rs.4 lakh was cleared in the account of the petitioner on 10th March 2017.

3. In view of the undertaking rendered by the learned advocate for the respondent as indicated aforesaid and the payment received by the petitioner the company petition is dismissed. No order as to costs.

R.D. DHANUKA, J.