

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMPANY PETITION NO. 868 OF 2015

Anil Jadhav

..... Petitioner

VERSUS

Pratt & Smith Enterprises Private Limited

..... Respondent

Mr.Vaibhav Sugdhare, i/b. Ms.Prachi Tatake for the Petitioner.

Mr.A.M.Kulkarni for the Respondent.

Mr.Ashish Kamat, a/w. Mr.Kunal Mehta, i/b. Crawford Bayley & Co. for the intervenor Smt.Pratima Kirloskar.

CORAM : R.D. DHANUKA, J.

DATE : 20th JANUARY, 2017

P.C.

Mr.Kulkarni, learned counsel for the respondent on instruction states that the petitioner would be paid a sum of Rs.82,05,828/- within three months from today. He submits that since the other directors are not willing to contribute any additional amount to the company, to obviate any order of winding up against the respondent company, Mrs.Smita Anant Chitale, who is chairman and managing director of the respondent company is ready and willing to pay the said amount to the petitioner from her own funds and will not make any claim in respect of the said amount against the other directors of the respondent and also will not make any claim against the respondent company. Statement is accepted.

2. It is made clear that if any default is committed in making payment of the aforesaid amount to the petitioner within the time prescribed, the company petition to stand revived and be placed for admission.

3. In view of the statement made by Mr.Kulkarni, learned counsel for the respondent, oral application made by Mr. Kamat, learned counsel for Smt.Pratima Kirloskar for intervention in this petition on the ground that the present petition is a collusive petition between the petitioner and Smt.Smita Anant Chitale is not entertained at this stage.

4. Company petition is disposed of in the aforesaid terms. No order as to costs.

(R.D.DHANUKA, J.)