

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

COMPANY PETITION NO. 806 OF 2015

M/s. Heena Construction Company .. Petitioner

v/s.

Windsor Realty Pvt. Ltd. .. Respondent

Mr. Nitin Gangal i/b Namita Mistry for the petitioner

Mr. Vishesh Karla a/w Mr. Submit Chakrobarti i/b Vidhii Partners for
the respondent

Mr. Hussain Shaikh, partner of petitioner present in Court

CORAM : R.D. DHANUKA, J.

DATED : 21st APRIL, 2017.

PC.

1. Learned Counsel appearing for the respondent, on instructions, states that his client would pay a sum of Rs.35 lakhs to the petitioner toward full and final settlement of claim within 3 weeks from today.

2. Mr. Gangal, learned Counsel appearing for the petitioner, on instructions from the partner of the petitioner, who is present in Court states that the said amount will be accepted by the petitioner in full and final settlement of the claim, if paid by the respondent within 3 weeks from today. Statements made by both the counsel on instructions, are accepted.

3. It is made clear that if the respondent commits default in making payment of Rs.35 lakhs to the petitioner within 3 weeks from today, the petitioner would be entitled to make a claim for entire amount against the respondent. In the event of the respondent committing any default, the petition be revived and shall stand admitted without any further reference to the Court.

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

5. In the event of default committed by the respondent, the petitioner would be at liberty to seek further directions from this Court on deposit of the amount and publication of the notice.

(R.D. DHANUKA, J.)