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

COMPANY PETITION NO. 335 OF 2015

The Greater Bombay Co-op. Bank Ltd. .. Petitioner
Vs.
M/s. Savu Developers Pvt. Ltd. .. Respondent

Ms. Shirin Shaikh i/b Raval Shah & Co. for the Petitioner.
Ms. Rita Yadav for the Respondent.

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

P. C. :

1. This petition under Sections 433(e), 434 read with Section 439 of the Companies Act, 1956 is filed for winding up of the respondent-company, namely, M/s. Savu Developers Pvt. Ltd.
2. It is the case of the petitioner that the respondent availed loan facility from the petitioner and is liable to pay a total sum of Rs.1,32,13,706.51 on the date of the filing of the petition.
3. Learned counsel appearing for the respondent, on instructions, submitted that as a matter of fact during the pendency of the present petition, the respondent has made payment of more than Rs.1,33,00,000/- to the petitioner and the petitioner has issued "no dues certificate" to that effect. Learned counsel for the petitioner concedes to the said fact, however, submitted that the respondent did not make the additional payment towards maintenance of the flat in question and certain

other amounts.

4. In view of the above, it is clear that the respondent is solvent enough to make the payment of the petitioner. The present petition as of today therefore does not survive and is dismissed in limine.

[A. S. GADKARI, J.]