

Amk

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

COMPANY PETITION NO. 935 OF 2015

Anand Kapadia	.. Petitioner
Vs.	
Gitanjali Gems Ltd.	.. Respondent

Mr. Jay Joshi i/b I. R. Joshi & Co. for the Petitioner.
Ms. Zahra Padamsee i/b Bharucha & Partners for the Respondent.
Petitioner present.
Mr. Sanchit Madge, Authorized Representative of Respondent present.

CORAM : A. S. GADKARI, J.
DATE : 21st JUNE, 2017.

P. C. :

1. Learned counsel for the respective parties jointly submitted that the parties herein have settled the matter amicably. The Consent Terms dated 21.06.2017 have been tendered and are taken on record. The Consent Terms are marked 'X' for identification. Learned counsel appearing for the petitioner submitted that in pursuance of the said Consent Terms, the respondent has handed over a Demand Draft No. 26699 to the petitioner and the petitioner does not have any further claim as against the respondent.

2. It is made further clear that in case the said demand draft is not honoured on presentation, the petition shall stand revived and admitted without further reference to this Court and made returnable within six weeks from the date of any such default and be advertised in two local

newspapers, namely, Free Press Journal (in English) and Navshakti (in Marathi) and official gazette of the Maharashtra Government.

3. The petitioner shall, within two weeks from the date of such a default, deposit with the Prothonotary and Senior Master of this Court a sum of Rs.10,000/- towards the publication charges with intimation to the Company Registrar, failing which the Company Petition shall stand dismissed for non prosecution without further reference to this Court.

4. The notice under Rule 28 of the Company (Court) Rules, 1959 shall stand waived on behalf of the respondent-company.

5. The petition is, accordingly, disposed off.

[A. S. GADKARI, J.]