

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMPANY PETITION NO.300 OF 2015

Allcargo Logistics Limited

..... Petitioner

VERSUS

Wind World (India) Limited

..... Respondent

Ms.Ankita Singhanian, a/w. Ms.Krutika Cheulkar, Mr.Amit Khairnar, i/b. D.H.Law Associates for the Petitioner.

Mr.Rohan Kadam, a/w. Ms.Abhilasha Sharma, i/b. Kartikeya & Associates for the Respondent.

CORAM : R.D. DHANUKA, J.

DATE : 25th JANUARY, 2017

P.C.

Learned counsel for the parties have tendered consent terms dated 25th January, 2017 duly signed by the parties and their respective advocates. Learned counsel for the parties state that the signatories to the consent terms are authorized to sign the consent terms. Signatures of the consent terms are identified by their respective advocates. Statements recorded in the consent terms are accepted as undertaking to the court. Consent terms are taken on record and marked 'X' for identification.

2. Company petition is disposed of in terms of the consent terms. No order as to costs.

3. It is made clear that in case of default recorded in the consent terms, the company petition shall stand admitted without further reference to the court and would be returnable after **eight weeks** from the date of such default.

4. In that event the service of the petition under Rule 28 of the Companies (Court) Rules, 1959 shall be deemed to have been waived.

5. In case of default, the petition shall be advertised in two local newspapers viz. (1) "Free Press Journal" (in English) and (2) "Navshakti" (in Marathi) and also in (3) "Maharashtra Government Gazette". Any delay in publication of the advertisement in the Maharashtra Government Gazette and any resultant inadequacy of notice shall not invalidate such advertisement or notice and shall not constitute non-compliance with this direction or with the Companies (Court) Rules, 1959.

6. The petitioner to deposit a sum of Rs.10,000/- towards publication charges with the Prothonotary and Senior Master within two weeks from the date of admission of the petition under the intimation to the Company Registrar, failing which the company petition shall stand dismissed for non-prosecution without further reference to the court. After the advertisements are issued, the balance, if any, shall be refunded to the petitioner.

(R.D.DHANUKA, J.)