

IN THE HIGH COURT OF BOMBAY AT GOA

COMPANY APPLICATION NO. 42 OF 2017

IN

COMPANY APPEAL NO. 4 OF 2017

A.W. FABER CASTELL (INDIA) PVT.
LTD.,

... Applicant

Versus

PUMA STATIONERY PVT. LTD.,

... Respondent

Mr. D.J. Pangam with Mr. Jitendra P. Supekar, Advocates for the
Appellant.

Ms. Amira Abdul Razaq, Government Advocate for Respondent
No.1.

Coram:- SHANTANU S. KEMKAR &
NUTAN D. SARDESSAI, JJ.

Date:- 31st January 2018

P.C.:

Having heard the learned Counsel for the parties on Company Application No.42 of 2017, prima facie, we are of the view that the learned Company Judge has committed an error in directing the petitioner to bring back the amount of Rs.25,00,000/- as we find that the claim of the petitioner in the Company Petition was excluding the said amount of Rs.25,00,000/- which according to the appellant/ Writ Petitioner was received / adjusted by it as far back in the year 2013 i.e. much prior to the filing of this petition.

2. In such circumstances, we stay the operation of the impugned

order. The Company appeal may be listed for final disposal at the admission stage in the first week of March, 2018.

3. Application stands disposed of.

NUTAN D. SARDESSAI, J.

SHANTANU S. KEMKAR, J.

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