

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

COMPANY PETITION NO.462 OF 2015

WITH

COMPANY PETITION NO.1 OF 2018

Balajee Infratech and Constructions Pvt. Ltd.Petitioner

Vs.

M/s. Supreme Infrastructure (India) LimitedRespondent

Mr. A.S. Daver a/w. Mr. M.S. Rao I/b. Ms. Gauri S. Rao for petitioner in both petitions.

Mr. K. Muraleedharan Nair, authorised signatory of petitioner present.

Mr. Chetan Kapadia a/w. Mr. Rahul Sarada I/b. Ms. Kanchanlata A. Gupta for respondent in both petitions.

Mr. Vikram Sharma, Managing Director of respondent company present.

CORAM : K.R.SHRIRAM, J.

DATE : 16th OCTOBER 2018

P.C.:

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1 Parties have entered into consent terms dated 16th October 2018. The consent terms signed by the Managing Director of respondent, authorised representative of petitioner and their respective advocates is taken on record and marked "X" for identification. Counsel state that the persons who have signed the consent terms for the respective parties are present in Court and identify them.

2 The statements contained in the consent terms including paragraphs 9, 10 and 11 are accepted as undertakings given to this Court. Mr. Vikram Sharma, Managing Director of respondent company for

himself, on behalf of the company and all the Directors of the company personally undertakes to make all the payments on the dates mentioned in the consent terms and further states that if there is a default, petitioner may even execute the consent terms as a decree against him personally, the company and all the other Directors of the company and he has been authorised by the company and all the Directors of the company to make such a statement. Statement accepted. If there is a default, this order with the consent terms be executed against the company and each of its Directors as a decree apart from other remedies.

3 Since there are other petitions pending, these two petitions stand disposed with liberty to revive these petitions in case of default.

(K.R. SHRIRAM, J.)