

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

**COMPANY APPLICATION NO. 40 OF 2018
IN
COMPANY PETITION NO. 251 OF 2015**

M/s. Shivsai Construction .. Applicant

In the matter between :

M/s. Shivsai Construction .. Petitioner

Vs.

M/s. Sterling Construction Pvt. Ltd. .. Respondent

Mr.Vivek V. Salunke for applicant/petitioner.

Mr.Santosh B. Bhatagunak for respondent.

CORAM : K.R.SHRIRAM, J.

DATE : 11TH JUNE 2018

P.C.

1 Heard the counsel and also considered the affidavit in support and the further affidavit of Bhagwan Bhoir affirmed on 8th June 2018. For reasons mentioned therein, the application is allowed in terms of prayer clause (a). Company Application No.251 of 2015 is restored to file. Petitioner to deposit a sum of Rs.15,000/- with the Prothonotary and Senior Master, High Court, Bombay. This amount to be deposited within one week failing which, the petition will get dismissed without further reference to the Court with no chance of being restored.

2 Pursuant to the order dated 14th December 2017, the Associate of this Court Shri Patwe states that the Company Registrar had already published dismissal of the petition in Navshakti and Free Press Journal. For the said advertisement, if the company registrar has incurred any cost in excess of the amount of Rs.10,000/- then the said amount shall also be paid by the Prothonotary and Senior Master.

3 Therefore, Petitioner to advertise in Free Press Journal and Navshakti about the petition being restored as per the format prescribed by the Company Registrar.

4 Company application disposed.

5 Petition be listed for final hearing on 6th July 2018.

(K.R. SHRIRAM, J.)