

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMPANY PETITION NO.420 OF 2014
WITH
OFFICIAL LIQUIDATOR'S REPORT NO.398 OF 2016
WITH
COMPANY APPLICATION NO.530 OF 2017
WITH
COMPANY APPLICATION NO.632 OF 2017
WITH
COMPANY APPLICATION (L) NO.25 OF 2018
IN
COMPANY PETITION NO.420 OF 2014**

Greater Bombay Co-operative Bank Ltd.Petitioner
Vs.
Manthan Builders & Developers Pvt. Ltd.Respondent

Ms. Shirin Shaikh i/b. Raval Shah for petitioner.
Mr. Satyavijay Tawade, General Manager of petitioner present.
Ms. Rita D. Bhatia for respondent/applicant in CAL/25/2018.

**CORAM : K.R.SHRIRAM, J.
DATE : 25th JANUARY, 2018**

PC.:

1 Mr. Tawade, General Manager of petitioner is present in Court and states that the entire claim of petitioner has been settled in full and final and petitioner does not wish to prosecute the petition. Mr. Tawade seeks leave to withdraw the petition.

2 Since the petition has been admitted and advertised, respondent is directed to give notice about petitioner's claim being settled and petitioner's intention to withdraw the petition, in Free Press Journal (in English) and Navshakti (in Marathi), both Mumbai edition, within one

week from today. The notice should be as per the format prescribed under the rules approved by the office of Official Liquidator/Company Registrar.

3 Stand over to 20th February, 2018 for withdrawal.

COMPANY APPLICATION (L) NO.25 OF 2018

1 In this application, applicant is seeking refund of the amount of Rs.12 lakhs that was paid to Official Liquidator as penalty for not filing statement of affairs on time pursuant to order dated 5th October, 2017.

2 Have considered the affidavit in support. Mr. Tawade, General Manager of petitioner has no objection. Ms. Bhatia, counsel for applicant states that now that the claim of petitioner has been settled, the amount to be returned. Ms. Bhatia also offers to pay Rs.1 lakh as donation to National Defence Fund.

3 In the circumstances, Official Liquidator is directed to return the amount of Rs.12 lakhs to applicant upon applicant showing proof of payment of Rs.1 lakh to National Defence Fund (NDF), State Bank of India, Institutional Division, Parliament Street, New Delhi, Account No.11084239799-www.pmindia. nic.in.

4 In view of the above, application is allowed and accordingly disposed in terms of prayer clauses – (a), (b) and (c).

(K.R. SHRIRAM, J.)