

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

COMPANY APPLICATION NO.494 OF 2016

IN

COMPANY PETITION NO.852 OF 2014

All Services Global Pvt. Limited Applicant/Org. Respondent

IN THE MATTER BETWEEN :

Ashok Badliram Jaiswar Petitioner

Vs.

All Services Global Pvt. Limited Respondent

Mr. J.P. Sen, senior advocate i/b. Mr. G.D. Talreja for applicant/original respondent.

Mr. Rajesh Talekar i/b. Mr. Abhijit B. Salve for respondent/original petitioner.

Mr. Ashok Badliram Jaiswar, petitioner present in person.

CORAM : K.R.SHRIRAM, J.

DATE : 9th JANUARY, 2018

PC.:

By consent, the following order is passed :

(a) Applicant shall deposit a sum of Rs.12 Lakhs with the Prothonotary and Senior Master, High Court, Bombay within one week from today.

(b) The counsel for petitioner states that he will file a suit before the appropriate forum for recovering the amount which according to petitioner is payable by respondent company and this suit will be filed within four weeks from today.

(c) The order dated 11th January, 2016, therefore, will have to be recalled and petitioner be directed to withdraw the petition.

(d) Within one week from today, respondent shall advertise in Free Press Journal (in English) and Navshakti (in Marathi) notice about this petition being withdrawn as

per the format prescribed under the rules/by the registry.

(e) Once the deposit is made and the suit is filed, deposit shall enure to the benefit of the suit to be filed.

(f) If the suit is not filed within four weeks from today, two weeks thereafter, respondent company shall be at liberty to apply to this Court for return of Rs.12 Lakhs to be deposited.

(g) Application accordingly stands disposed.

(h) Petition be listed on 2nd February, 2018 for withdrawal.

(K.R. SHRIRAM, J.)