

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

COMPANY APPLICATION (L) NO.123 OF 2018

IN

COMPANY PETITION NO.867 OF 2015

M/s. Maestros Mediline Systems Ltd.Applicant

IN THE MATTER BETWEEN :

M/s. Shah EnterprisesPetitioner

Vs.

Official Liquidator of M/s. Maestros

Mediline Systems Limited & Anr.Respondents

WITH

COMPANY PETITION NO.409 OF 2015

Mr. B.S. Mahajani for applicant/original respondent in CP/867/2015.

Mr. Manish Bohra I/b. A.S. Khan and Associates for original petitioner in CP/867/2015.

Ms. Shrikrishna Suryawanshi I/b. M/s. RMP Legal for petitioner in CP/409/2015.

Mr. Mahendhar Aithe, Company Prosecutor for Official Liquidator present.

CORAM : K.R.SHRIRAM, J.

DATE : 10th JULY 2018

P.C.:

1 At the outset, Mr. Mahajani, counsel for applicant seeks leave to amend the cause title of the application to replace the name of applicant from “*M/s. Maestros Mediline Systems Limited*” to “*Dr. Krishna Kumar Menon*”.

2 Leave to amend granted. Amendment to be carried out forthwith. Re-verification dispensed with.

3 Mr. Mahajani, counsel for applicant states that further to the order dated 13th June 2018, all payments have been made to Official

Liquidator. Mr. Mahajani further states that the amount of Rs.5,00,000/- was paid two days late to Official Liquidator and seeks condonation for the two days delay. Delay condoned.

4 Subsequently, applicant has filed an affidavit of one Nitesh Patil affirmed on 25th June 2018 stating that applicant has advertised the proposed settlement and withdrawal of the petitions in Free Press Journal and Navshakti. Mr. Mahajani states that he has not received any objection to the proposed withdrawal/settlement. Mr. Aithe, Company Prosecutor for Official Liquidator also states that he has not received any claims from any party.

5 Therefore, the order dated 12th January 2018 winding up respondent company - M/s. Maestros Mediline Systems Ltd. is recalled. Status of the company be accordingly corrected in records including that of Registrar of Companies.

6 Application accordingly stands disposed. Notwithstanding disposal of application, applicant to remove all office objections and get the application numbered within two weeks.

7 Both company petitions are dismissed as withdrawn. Applicant shall pay a sum of Rs.25,000/- to Official Liquidator as costs and this amount to be paid within two weeks from today.

8 Official Liquidator to pay a sum of Rs.6.50 lakhs to petitioner in Company Petition No.867 of 2015 and balance to petitioner in Company Petition No.409 of 2015 and the cheques should be handed over to the respective advocates for petitioner in both petitions.

9 All to act on an authenticated copy of this order.

(K.R. SHRIRAM, J.)