

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMPANY PETITION NO.513 OF 2016**

Vinay V. Bijlani

....Petitioner

Vs.

M/s. Lokhandawala Infrastructure (P) LimitedRespondent

Ms. Firdaus Moosa i/b. Mr. Prakash Mahadik for petitioner.

Mr. Anil Rao a/w. Mr. Sahil Saiyed and Mr. B. Irani i/b. Wadia Ghandy and Co. for respondent.

Mr. Bijesh Tiwari, Manager Accounts/Authorised signatory of respondent present.

CORAM : K.R.SHRIRAM, J.

DATE : 17th APRIL, 2018

P.C.:

1 Ms. Moosa, counsel for petitioner states that all the amounts as per the consent terms dated 16th November, 2017 have been paid. Ms. Moosa, however, states that the company has deducted TDS but her instructions are that the TDS amount has not been deposited with the Income Tax Authorities and TDS certificates have not been issued.

2 Mr. Rao, counsel for respondent company states that the authorised signatory of the company – Mr. Bijesh Tiwari is present in Court and identifies him. Mr. Tiwari personally informs the Court that the TDS amount will be deposited before the end of this week and within two weeks from today, the TDS certificates will also be forwarded to petitioner's advocate on record. This statement is accepted as personal undertaking of Mr. Tiwari for himself and as an undertaking on behalf of the company and

all the board of directors of the company. Mr. Tiwari further states that he or the company will not seek any extension for making payment of the TDS amount deducted or to issue the TDS certificates. This statement also is accepted as an undertaking to this Court.

3 Petition accordingly stands disposed with liberty to petitioner to approach this Court in case Mr. Tiwari or the company committed breach of the undertaking as recorded above.

(K.R. SHRIRAM, J.)