

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

COMPANY PETITION NO. 451 OF 2016

Modest Maritime Service Private Ltd. .. Petitioner

Vs.

M/s. Ardeshir B. Cursetjee & Sons Ltd. .. Respondent

Ms.Nikhil Rajani i/b V. Deshpande and Co. for petitioner.

Ms.Hetal Master i/b Ashwin Ankhad and Associates for respondent.

Mr.Prakash Sadhwani-Director of petitioner present.

Mr.Chandrasekar Krishnamurthy, Director of respondent present.

CORAM : K.R.SHRIRAM, J.

DATE : 4TH MAY 2018

P.C.

1 Parties have entered into consent terms dated 27th April 2018. The consent terms signed by the Director of petitioner, Director of respondent company and their respective advocates, is taken on record and marked 'X' for identification. The counsels state that the respective signatories to the consent terms are present in Court and identify them.

2 Order in terms of the consent terms. All undertakings accepted.

In addition to the undertakings recorded in the consent terms, the signatory for respondent Shri Chandrasekar Krishnamurthy, Director, further undertakes for himself, on behalf of all the directors and the company that that each of the cheque will be honoured on presentation. Accepted. In the event of default, Shri Krishnamurthy further agrees that petitioner shall be entitled, apart from the liberty granted in the consent

terms, to execute the consent terms with this order, as a decree against the company and its directors jointly and/or severally.

3 Since the petition is at pre-admission stage, the petition dismissed as withdrawn with the liberty as sought.

(K.R. SHRIRAM, J.)