

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

COMPANY PETITION NO.558 OF 2014

Champshe M Shah
(Proprietor of M/s. Atul Steels)Petitioner

Vs.

M/s. Supreme Infrastructure India Ltd.Respondent

**WITH
COMPANY PETITION NO.605 OF 2014
WITH
COMPANY PETITION NO.780 OF 2014
WITH
COMPANY PETITION NO.462 OF 2015
WITH
COMPANY PETITION NO.483 OF 2015
WITH
COMPANY PETITION NO.484 OF 2015
WITH
COMPANY PETITION (L) NO.22 OF 2016**

Mr. Anoshak Daver i/b. Ms. Gauri S. Rao for petitioner in CP/462/2015 and CPL/22/2016.

Mr. K. Muralidharan Nair, authorised signatory of petitioner in CP/462/2015 and CPL/22/2016 present.

Mr. Chetan Kapadia a/w. Mr. Rahul Sarda i/b. K.A. Gupta for respondent.
Mr. Siddharth Jain, authorised signatory of respondent company present.

**CORAM : K.R.SHRIRAM, J.
DATE : 8th FEBRUARY, 2018**

P.C.:

**COMPANY PETITION NO.462 OF 2015
WITH
COMPANY PETITION (L) NO.22 OF 2016**

1 Parties have entered into consent terms dated 8th February, 2018. The consent terms signed by the authorised representative of petitioner, respondent and their respective advocates is taken on record and marked 'X' for identification. The counsel for petitioner and counsel for

respondent identify the persons who have signed the consent terms on behalf of petitioner and respondent.

2 Order in terms of the consent terms. All undertakings given in the consent terms are accepted and so ordered. Mr. Jain, the signatory for respondent company undertakes on his own behalf and on behalf of respondent company and on behalf of the Board of Directors of respondent company that all the cheques will be honoured on presentation. Undertaking accepted.

3 In view of the consent terms filed in company petition no.462 of 2015 and company petition (lodging) no.22 of 2016, nothing survives in company application (lodging) no.277 of 2017 and company application (lodging) no.17 of 2018. Therefore, company application (lodging) no.277 of 2017 and company application (lodging) no.17 of 2018 accordingly stand disposed.

4 Petitions to be listed for directions on 16th August, 2018. If any default is committed, petitioner is at liberty to move this Court earlier for further directions.

5 Within two weeks from today, all office objections in Company Petition (lodging) No.22 of 2016 to be removed and petition to be numbered.

6 Mr. Kapadia, counsel for respondent states that company petition no.558 of 2014 and company petition no.605 of 2014 have been settled and to be treated as disposed.

 In view of this statement made by Mr. Kapadia, these two petitions to be noted as disposed.

7 Mr. Kapadia states that in company petition no.780 of 2014 consent terms have been filed and the company has been honouring the terms of settlement filed in this Court. So far as company petition no.483 of 2015 and company petition no.484 of 2015 are concerned, Mr. Kapadia states that the company is still in negotiation with petitioners and hopefully within two weeks they will arrive into the settlement with both petitioners. It should be noted that both petitioners in company petition no.483 of 2015 and company petition no.484 of 2015 are absent today.

8 Therefore, stand over to 22nd February, 2018 on which date if settlement terms are not filed, parties will have to go on with the matter and if petitioners in company petition no.483 of 2015 and company petition no.484 of 2015 do not remain present, petitions may get dismissed for want of prosecution.

(K.R. SHRIRAM, J.)