

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

COMPANY PETITION NO.572 OF 2013

JM Financial Asset Reconstruction Company Ltd.)....Petitioner
V/s.

M/s.Arch Pharmalabs Ltd.)....Respondent

WITH

COMPANY PETITION NO.33 OF 2014

COMPANY PETITION NO.109 OF 2014

WITH

COMPANY APPLICATION NO.148 OF 2014 IN COMPANY PETITION
NO.33 OF 2014

WITH

COMPANY PETITION NO.232 OF 2014

COMPANY PETITION NO.671 OF 2014

COMPANY PETITION NO.760 OF 2014

COMPANY PETITION NO.848 OF 2014

COMPANY PETITION NO.991 OF 2014

COMPANY PETITION NO.141 OF 2015

COMPANY PETITION NO.266 OF 2015

COMPANY PETITION NO.418 OF 2015

WITH

COMPANY APPLICATION NO.728 OF 2015

IN

COMPANY PETITION NO.109 OF 2014

COMPANY PETITION NO.119 OF 2016

WITH

COMPANY APPLICATION NO.214 OF 2016

IN

COMPANY PETITION NO.572 OF 2013

WITH

COMPANY PETITION NO.226 OF 2016

WITH

COMPANY APPLICATION NO.282 OF 2016

IN

COMPANY PETITION NO.572 OF 2013

COMPANY PETITION NO.336 OF 2016

COMPANY PETITION NO.621 OF 2016

Mr.Rohit Gupta a/w Ms.Ishita Advani I/by Desai & Diwanji for petitioner in CP 572/2013.

Mr.Yazdi P.Jijina a/w Ms.K.R.Daviervalva I/by M/s.Mulla & Mulla and Craigie blunt and Caroe for peetitioner in CP 991/2014.

Mr.Niraj Shah I/by Siddharth Murarka for petitioner in CP 418/2015.

Ms.Archana Deshmukh I/by Singhania and Co. for petitioner in CP 226/2016.

Mr.Anrush Bansde for petitioner in CP 336/2016.

None for petitioner in CP 33/2014, CP 109/2014, CP 232/2014, CP 671/2014, CP 760/2014, CP 848/2014, CP 141/2015, CP 266/2015, CP 119/2016 and CP 621/2016.

Ms.Tasneema Zariwala I/by Vidhi Partners for respondent company.

Mr.Saurabh Thakkar I/by Malvi Ranchoddas and Co. for respondent no.2 in CP No.572/2013.

CORAM : K.R.SHRIRAM,J

DATE : 13.7.2018

P.C.:-

COMPANY PETITION NO.991 OF 2014

COMPANY PETITION NO.226 OF 2016

COMPANY PETITION NO.418 OF 2015

Counsel appearing for petitioner in these petitions seek leave to withdraw these petitions. Since there are other petitions pending, these petitions are allowed to be withdrawn and accordingly dismissed.

2 COMPANY PETITION NO.336 OF 2016

Mr.Anrush Bansde appearing for petitioner states that about 60% of the petitioners' claim as per the Memorandum of

Understanding entered into with the company, has been paid without default. Mr.Bansde states that he will take instructions whether petitioner would be inclined to withdraw this petition and file fresh petition in the appropriate forum in case there is a default by the company.

3 **COMPANY PETITION NO.119 OF 2016**

Nobody is present in court. Ms.Tasneema Zariwala for respondent company states out of Rs.24 lakhs, Rs.19 lakhs has been paid as per the Memorandum of Understanding and the company will be honouring its commitments. On the next date if nobody is present for petitioner, the petition may get dismissed for want of prosecution.

4 **COMPANY PETITION NO.760 OF 2014**

Nobody is present in court. Ms.Tasneema Zariwala for respondent company states out of Rs.60 lakhs, Rs.27 lakhs has been paid as per the Memorandum of Understanding and the company will be honouring its commitments. On the next date if nobody is present for petitioner, the petition may get dismissed for want of prosecution.

COMPANY PETITION NO.572 OF 2013
WITH
COMPANY PETITION NO.33 OF 2014
COMPANY PETITION NO.109 OF 2014
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COMPANY APPLICATION NO.148 OF 2014 IN CP NO.33 OF 2014
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COMPANY APPLICATION NO.728 OF 2015 IN CP 109 OF 2014
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COMPANY APPLICATION NO.214 OF 2016 IN CP NO.572 OF 2013
WITH
COMPANY APPLICATION NO.282 OF 2016 IN CP NO.572 OF 2013
COMPANY PETITION NO.621 OF 2016

Mr.Gupta states that J.M.Financial Asset Reconstruction Company Limited has taken over the rest of the petitioners' claim and seeks one week adjournment to take instructions whether J.M.Financial Asset Reconstruction Company Limited having restructured the company's facility, would be inclined to withdraw these petitions with liberty to file fresh petitions in the appropriate forum on a fresh cause of action.

Stand over to 20.7.2018 for directions/dismissal.

(K.R.SHRIRAM,J)