

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

COMPANY PETITION NO. 1130 OF 2015

Kotak Mahindra Bank Ltd.

.. Petitioner

Vs.

DBM Geotechnics and Constructions

Pvt. Ltd.

.. Respondent

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

Ms. Krishna Agarwal i/b Vigil Juris for respondent.

CORAM : K.R.SHRIRAM, J.

DATE : 24TH FEBRUARY 2018

P.C.

1 Mr.Rajani appearing for petitioner states that further to order dated 5th February 2018, petitioner has advertised the proposed withdrawal of petition in Free Press Journal and Navshakti on 18th February 2018. There is an affidavit of one Mahesh Girkar affirmed on 14th February 2018 confirming the same. Mr.Agarwal for respondent states that post notice he has not received any claim or objection from any party. Statement accepted.

2 In the circumstances, petition disposed in terms of the consent terms dated 31st January 2018 read with the order dated 5th February 2018.

3 Provisional Liquidator also stands discharged. The company to pay a sum of Rs. 50,000/- as costs to Provisional Liquidator and this amount to

be paid within two weeks from today. Provisional liquidator will stand discharged only upon making this payment.

4 Registry to refund the amount of Rs.10,000/- to petitioner by way of cheque drawn in favour of the Advocate for petitioner subject to deduction, if any.

(K.R. SHRIRAM, J.)