

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

**COMPANY PETITION NO.365 OF 2014
WITH
COMPANY APPLICATION NO.145 OF 2018
IN
COMPANY PETITION NO.365 OF 2014**

Navnidhi Steel and Engg. Co. Pvt. Ltd.Petitioner

Vs.

M/s. Jord Engineering India LimitedRespondent

**WITH
COMPANY PETITION NO.245 OF 2013**

M/s. ICM Logistics Private LimitedPetitioner

Vs.

M/s. Jord Engineering India LimitedRespondent

Mr. Prashant H. Chande for petitioner in CP/365/2014.

Mr. Mukesh J. Pabari for petitioner in CP/245/2013.

Mr. P.A. Narayanan I/b. Ms. Neeta V. Parikh for respondent in CP/245/2013.

Mr. Rohit Gupta a/w. Ms. Amrita Dubey I/b. M/s. HSA Advocates for applicant in CA/145/2018 and for respondent in CP/365/2014.

Mr. Nikhil Rajani I/b. M/s. V. Deshpande and Co. for J.M. Financial Asset Reconstruction Co. Ltd. - secured creditor.

Mr. Mahendhar Aithe, Company Prosecutor for Official Liquidator present.

CORAM : K.R.SHRIRAM, J.

DATE : 10th JULY 2018

P.C.:

1 Mr. Gupta states that pursuant to order dated 2nd May 2018, the company has advertised the proposed withdrawal/settlement of petition and relies upon an affidavit of one Vishwas Shete affirmed on 13th June 2018. Mr. Gupta further states that no objection or claim has been received in response to the advertisement but as Official Liquidator had been appointed

pursuant to winding up of the company, J. M. Financial Asset Reconstruction Company Limited had addressed a communication to Official Liquidator stating that J. M. Financial Asset Reconstruction Company Limited is recalling the entire facility that it had given to the company and it had a large claim against the company. Mr. Rajani for J. M. Financial Asset Reconstruction Company Limited states that J. M. Financial Asset Reconstruction Company Limited have already filed a petition before NCLT and they would pursue that independently.

2 In the circumstances, both petitions are dismissed as withdrawn. Company application accordingly stands disposed.

3 The company to pay a sum of Rs.50,000/- as costs to Official Liquidator of this Court and this amount to be paid within one week from today. Upon receiving that amount, Official Liquidator will get discharged. This will, however, not come in the way of proceedings of J. M. Financial Asset Reconstruction Company Limited prosecuting its petition before NCLT.

(K.R. SHRIRAM, J.)