

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

**COMPANY PETITION NO.360 OF 2008  
WITH  
COMPANY APPLICATION NO.529 OF 2010  
IN  
COMPANY PETITION NO.360 OF 2008**

Kotak Mahindra Bank Limited ....Petitioner

Vs.

Helios Confectionery Pvt. Ltd. ....Respondent

**WITH  
COMPANY PETITION NO.155 OF 2009  
WITH  
COMPANY APPLICATION NO.530 OF 2010  
IN  
COMPANY PETITION NO.155 OF 2009**

----

Ms. Prerna Gandhi I/b. M/s. Manilal Kher Ambalal and Co. for petitioner in both petitions.

Mr. Ranbir Singh a/w. Mr. Alok Patel I/b. Mahendra Patel and Associates for respondent in both petitions.

----

**CORAM : K.R.SHRIRAM, J.  
DATE : 10<sup>th</sup> AUGUST 2018**

**P.C.:**

1 Ms. Gandhi, counsel for petitioner states that the assignment, based on which petitioner has filed this petition, is a subject matter of an appeal pending in the Hon'ble Supreme Court of India because the Allahabad High Court had quashed the assignment. Ms. Gandhi further states that petitioner be allowed to withdraw the petitions with liberty to approach the appropriate forum in the event the Hon'ble Supreme Court of India allows the appeal and upholds the assignment.

2                    Therefore, both company petitions allowed to be withdrawn with the liberty as prayed for. Company application no.529 of 2010 and company application no.530 of 2010 consequently stand disposed. All rights and contentions of the parties are kept open.

Gauri  
Amit  
Gaekwad

Digitally  
signed by  
Gauri Amit  
Gaekwad  
Date:  
2018.08.14  
11:18:13  
+0530

**(K.R. SHRIRAM, J.)**