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

**APPEAL (L) NO. 488 OF 2018
IN
COMPANY PETITION NO. 468 OF 2013
WITH
NOTICE OF MOTION (APPEAL) (L) NO. 1172 OF 2018
IN
APPEAL (L) NO. 488 OF 2018
IN
COMPANY PETITION NO. 468 OF 2013**

Kumar Motors Pvt. Ltd. ... Appellant
V/s.
Innoventive Industries Ltd. ... Respondent

Mr. Vishnu Shriram i/b. M/s. Phoenix Legal for the Appellant.
Mr. Ashish Kamat with Ms. Yasmin Godrej and Ms. Priyanka
Deshmukh i/b. M/s. Crawford Bayley & Co. for the Respondent.

**CORAM: B.R. GAVAI, &
RIYAZ I. CHAGLA, JJ.
DATE: 22ND DECEMBER, 2018.**

PC:-

1. Vide order dated 21st November, 2018 we had directed the Appellant to deposit the amount of Rs.4 Crores within a period of four weeks from the date of the said order. It was made clear in the aforesaid order that if the amount is not deposited the Appeal would be liable to be dismissed for non-compliance of the undertakings given to this Court. Admittedly, the said amount has not been deposited by the Appellant in this Court.

2. In that view of the matter, the Appeal is dismissed for non-compliance of the undertakings given to this Court.

3. In view of the dismissal of the Appeal, Notices of Motion, if any, do not survive.

3. There is a typographical error in the order dated 21st November, 2018 with regard to the title, the word at both places "Contempt Petition" shall be corrected to read "Company Petition".

(RIYAZ I. CHAGLA J.)

(B.R. GAVAI,J.)