

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

COMPANY PETITION NO.439 OF 2014

Modern Cargo Services Pvt. Ltd.Petitioner

Vs.

Jyoti Paper Udyog LimitedRespondent

Mr. Netaji Gawade i/b. M/s. Sanjay Udeshi and Company for petitioner.
Mr. Jayant Khairnar, Chairman of respondent company present.

**CORAM : K.R.SHRIRAM, J.
DATE : 6th SEPTEMBER 2019**

PC.:

1 At the outset, in the order dated 31st July 2019, in paragraph 1, in the last sentence, the word ***“none”*** to be corrected to read as ***“non”***.

2 Rest of the order remains unaltered. Original order to be corrected accordingly.

3 Mr. Jayant Khairnar, Chairman of respondent company is present in Court and states that respondent company has paid the donation as directed in paragraph 3 of the order dated 31st July 2019. The counsel for petitioner confirms having seen the proof of donation. The counsel for petitioner also states that the installments, that were due on 13th August 2019 and 13th September 2019, have been paid.

4 Mr. Jayant Khairnar assures the Court once again and undertakes to this Court once again that the remaining installments will also be paid as recorded in the order dated 31st July 2019. Assurance and

undertaking accepted.

5 The counsel for petitioner states that the petition be disposed since it has not been advertised with liberty to approach this Court for revival of the petition.

6 Petition disposed with the liberty as prayed for.

7 Prothonotary and Senior Master shall note the revival of the petition upon receiving a communication from petitioner's advocates that there has been a default in the installments to be paid. Once the same is noted, petitioner shall be at liberty to advertise the petition forthwith, returnable after three weeks from the date of the advertisement.

8 All to act on authenticated copy of this order.

(K.R. SHRIRAM, J.)