

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY AND ORIGINAL CIVIL JURISDICTION
COMPANY PETITION NO.494 OF 2015**

V. M. Steels

..Petitioner

Vs.

Likproof India Pvt Ltd

CIN U74999MH1984PTC034158

..Respondent

**WITH
SHOW CAUSE NOTICE NO.137 OF 2019
IN
COMPANY PETITION NO.494 OF 2015**

Mr. Sanjay Udeshi a/w Mr. Darshan Ashar, Mr. Akshay Udeshi and Mr. Netaji Gawade i/b M/s. Sanjay Udeshi and Co. for Petitioner.

Mr. Karl Tamboly a/w Mr. Anuj Desai and Mr. S. B. Rao i/b India Law LLP for Respondent;

(Mr. Wahid Chowhan and Ms. Rukshana W. Chowhan, Director of Respondent company present)

**CORAM : K.R.SHRIRAM, J.
DATE : 28th AUGUST 2019**

P.C.:

1 Further to order dated 7-8-2019, Mr. Tamboly places on record two affidavits, one of Mr. Wahid Chowhan, Managing Director of respondent and Mrs. Ruksana Chowhan, Director of respondent, explaining the reasons why they were constrained to breach the undertaking given to this court. Mr. Tamboly submits that it is only because of the reasons given in the affidavit of Mr. Wahid Chowhan that the company committed breach and it was not the intention of the company or its Directors to take the court for granted. Mr. Tamboly prays that the show cause notice issued be recalled.

2 Mr. Udeshi states that petitioner's claim has been settled in full and final and leaves it to court to decide.

3 I have considered the two affidavits filed by Mr. and Mrs. Chowhan, wherein they have also expressed regret and tendered unconditional apology. I accept the explanation given. In view thereof, the show cause notice issued pursuant to order dated 26-6-2019 stands discharged.

4 Mr. Udeshi states that the petition has not been advertised after it was admitted and, therefore, seeks leave to withdraw the petition, as petitioner's claim has been settled in full and final.

5 Petition dismissed as withdrawn.

6 All to act on authenticated copy of this order.

(K.R. SHRIRAM, J.)