

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

COMPANY PETITION NO.1113 OF 2015

Corporation Bank ..Petitioner
Versus
Bilcare Ltd ..Respondent

WITH

**COMPANY APPLICATION NO. 423 OF 2017
IN
COMPANY PETITION NO.1113 OF 2015**

Bilcare Ltd ..Applicant/Orig.Respondent

IN THE MATTER BETWEEN
Corporation Bank ..Petitioner

Bilcare Ltd ..Respondent

Mr.Ziyad Madon, with Mr.Ravi Gandhi, Mr. Rashmin Jain, Mr. Prathamesh P. Jadhav i/b Kanga & Co, Advocates for the Applicant/Orig.Respondent.

Ms.Akanksha Hambir i/b Tathina Maravarman, Advocates for the Respondent in C. A./Orig.Petitioner in C.P.

CORAM : B. P. COLABAWALLA, J
DATE : APRIL 19, 2023

P.C.

The above Petition was admitted by an order dated 26th July, 2017 and directions were given for advertisement of the above Petition in the newspapers. However, before the Petition could be advertised, the Applicant filed the above application

seeking recall of the order of admission on the ground that a Notification was issued declaring the company as a relief undertaking under the provisions of the Maharashtra Relief Undertakings (Special Provisions) Act, 1958. In light of the provisions of the said Act, the Company Petition could not have been filed and / or proceeded with, was the contention, and hence, the application for recall. In this application, a stay was granted in favour of the Applicant, and hence, the Company Petition was never advertised.

2 Today when the matter is called out, I am informed by the Petitioner bank as well as the Respondent company that the entire dues of the Petitioner Bank have been paid as per the OTS dated 4th March, 2023. In light of this development, the learned advocate appearing on behalf of the Petitioner Bank sought leave to unconditionally withdraw the above Company Petition.

3 Considering the aforesaid circumstances, and the fact that the above Petition is not advertised, the above Company Petition is dismissed as withdrawn. No order as to costs.

4 In light of the withdrawal of the above Company Petition, nothing survives in the above Company Application and the same is disposed of accordingly.

5 This order will be digitally signed by the Private Secretary/ Personal Assistant of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

[B. P. COLABAWALLA, J].