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**IN THE COURT OF SPECIAL JUDGE, UNDER COMPANIES ACT, 2013
GREATER MUMBAI AT MUMBAI**

ORDER BELOW EXH.7
IN
COMPANY PETITION SPECIAL CASE NO.01 OF 2018

Vivek Shekhar Shah ...Applicant/Org. Accused.

In the matter Between

Byram Adil Shroff ...Complainant.

V/s.

Vivek Shekhar Shah ... Accused.

And

S.S. Endothermics & Another ...Respondents.

Learned Advocate Ms. Nikita Bangera for the applicant/accused.

Learned Advocate Shri Nilambuj for complainant.

Assistant Registrar Shri V.T. Sajjivan, for Registrar of Company.

Learned Additional Public Prosecutor Shri Solkar for the State.

CORAM : HIS HONOUR THE SPECIAL JUDGE
SHRI V.S.PADALKAR(C.R.58)

DATED :04th May, 2018.

ORDER

By way of this application, the applicant/accused has prayed for relaxation in respect of the condition imposed while granting bail.

2] Heard both sides.

3] It is submitted by the Learned Advocate Ms. Nikita Bangera that

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the conditions imposed while granting bail, be relaxed.

4] The last part of application discloses the fact that Writ Petition No.1926/2018 is filed by the applicant/accused Vivek Shah and thereby challenged the present proceeding and order, so also seeking waiver of the conditions imposed.

5] Admittedly, it is stated by the Learned Advocate for applicant that the matter is kept before the Honourable High Court on 11/05/2018. In view of pending writ petition, the applicant did not have authority to claim the same relief before this Court, as any order passed by the Honourable High Court is binding on this Court.

6] One more aspect, which I would like to note here that that the applicant is not entitled to claim the same relief before this Court as well as before the Honourable High Court. Claiming the same relief before this Court, this practice needs to be deprecated and not legally permissible.

7] In view of this fact, the present application is not maintainable. Hence, filed and accordingly, disposed off.

ORDER

1] Application at Exh.7 is rejected as not maintainable.

2] Application is filed and accordingly, disposed off.

(V.S. PADALKAR)
The Special Judge
Under Companies Act
Gr. Mumbai

04/05/2018

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“CERTIFIED TO BE TRUE AND CORRECT COPY OF THE ORIGINAL
SIGNED JUDGMENT/ORDER.”

04/05/2018 , at 5.15 pm

(Mrs. S.U.Manjrekar)

UPLOAD DATE AND TIME

NAME OF STENOGRAPHER

Name of the Judge (With Court room no.)	HHJ SHRI V.S. PADALKAR (COURT ROOM NO.58)
Date of Pronouncement of JUDGEMENT/ORDER	04/05/2018
JUDGEMENT/ORDER signed by P.O. on	04/05/2018
JUDGEMENT/ORDER uploaded on	04/05/2018