

**NATIONAL COMPANY LAW TRIBUNAL  
AHMEDABAD BENCH  
COURT 1**

CP 45 of 2020

**Coram: MADAN B. GOSAVI, MEMBER (JUDICIAL)  
VIRENDRA KUMAR GUPTA, MEMBER (TECHNICAL)**

**ATTENDANCE-CUM-ORDER SHEET OF THE HEARING THROUGH VIDEO CONFERENCING BEFORE THE  
AHMEDABAD BENCH OF THE NATIONAL COMPANY LAW TRIBUNAL ON 17.12.2020**

**Name of the Company:**

Prem Raj Keshyep

V/s

KYB-Commant Pvt Ltd &amp; Ors

**Section:**

241 of Co.Act, 2013

**ORDER**

Heard Learned Senior Counsel Mr. Saurabh Soparkar appeared for the Petitioner.

Heard Learned Advocate General Shri Kamal Trivedi appeared for the Respondent no. 2.

Perused the record. An Interim prayer sought by the Petitioner to maintain status quo relating to shareholding pattern and composition of Board of Directors.

As far as the status quo relating to composition of Board of Directors is concerned it appears no dispute, hence, we direct parties to maintain status quo of the Board of Directors of the Company i.e Respondent No. 1 (*KYB-Conmat Private Limited*).

As far as shareholding pattern is concerned, the Learned Senior Counsel for the Respondent no. 2 submits that the Arbitration is under process at Singapore, if any, order relating to shareholding pattern is passed by this Tribunal, then their rights in that proceeding may get affected prejudicially.

vc

We have considered this apprehension of Learned Senior Counsel for the Respondent no. 2. We make it clear that our order shall not come into way of rights of the parties in arbitration proceedings relating to their contentions. In order to avoid multiplicity of the proceeding we feel appropriate to direct parties to maintain shareholding pattern as it exists today.

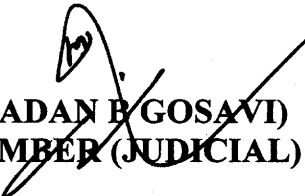
We also make it clear that parties have given offer –counter offer about purchasing the shares and parties may proceed with those offers.

Relief claiming under prayer –C and D is refused at this stage, because according to us unless Respondents are given opportunity to put their say in the matter, it is not appropriate on our part to consider those reliefs.

**Our above said order remain inforce till next date of hearing only.**

The matter stands adjourned to 25.01.2021 for further consideration.

  
(VIRENDRA KUMAR GUPTA)  
MEMBER (TECHNICAL)

  
(MADAN B. GOSAVI)  
MEMBER (JUDICIAL)

Dated this the 17th day of December, 2020.

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**ORDER**

Learned Senior Counsel Mr. Saurabh Soparakar appeared for Petitioner.

Learned Senior Counsel Mr. Kamal Trivedi appeared.

Learned Senior Counsel Mr. Rasesh Sanjanwala appeared with Learned Counsel Saurabh Mehta, Mr. Mithil Mehta, Mr. Nirad Buch, Ms. Bhavini Buch and Nandish Shah i/b Shouryendra Ray and R. Vighneshwar Wadhwa Law Office.

Learned Counsel Mr. P.A. Kabadi appeared. \

Heard Learned Senior Counsel for Petitioner.

At interim relief, heard Learned Senior Counsel for Respondent no.2 opposing the relief. The order will be passed before next date of hearing. Meantime, issue notice to all Respondents and Respondent no.2 and other Respondents may file reply within two weeks by giving copy to other side and other side may file rejoinder within two weeks.

Matter is adjourned for rejoinder on 25.01.2021 at 2.00 p.m..

**(VIRENDRA KUMAR GUPTA)  
MEMBER (TECHNICAL)**

Dated this the 17th day of December, 2020.

Prakash

**(MADAN B GOSAVI)  
MEMBER (JUDICIAL)**