

NCLT, KOCHI BENCH

Daily Orders – Draft

In the Bench of: Shri Ashok Kumar Borah, Member (Judicial)

Date: 23rd March 2021

1 IBA/22/KOB/2020

No response from the learned counsel for applicant. Orders pronounced.
IBA/22/KOB/2020 is admitted vide separate order.

2 IBA/23/KOB/2020

No response from the learned counsel for applicant. Orders pronounced.
IBA/23/KOB/2020 is admitted vide separate order.

3 CP/13/KOB/2021

Learned PCS for the Petitioner Shri PP Zibi Jose appeared through VC. Learned counsel for R2 Shri Sherry Samuel Oommen and learned counsel for R5 Shri Sukumar Oommen also appeared through VC.

This is a Company Petition filed by Shri Vishnukant Gupta against M/s. RBG Enterprises Pvt Ltd and 8 others seeking intervention of this Tribunal for re-allocation of shares held by coparceners of RBG HUF in the subject Company aligning with the MOU signed by the parties therein dated 15.09.2016 for partition of RBG HUF assets. The petitioner has alleged many instances of oppression and mismanagement against the respondents.

The Petitioner submitted that due to family disputes, the RBG HUF is now practically two groups managing the Companies. One group in spite of the MOU is trying to take over the other group Companies on account of their numerical majority. There are several cases pending in this Tribunal on account of the family disputes. It is also submitted that all RBG shareholders holding their shares in their individual capacity as well as in the capacity as coparcener of RBG HUF is one and the same as all the assets of the RBG HUF belongs to everybody in the RBG HUG and the MOU signifies an important document for the ultimate solution to the RBG HUF family

dispute. According to the petitioner if the MOU is implemented, all the disputes with respect to the seven companies can be resolved once for all.

There are 6 family members in the family. According to the Petitioner, as per the MOU, the co-parceners are entitled to the following shareholding pattern in the R1 Company:

1. Radha Ballabh Gupta- Karta of RBG HUF	: R2	17%
2. Sulochana Gupta- Wife of Radha Ballabh Gupta	: R5	00
3. Rajkumar Gupta - Eldest son of Radha Ballabh Gupta.	: R3	27%
4. Vishnukant Gupta- Second son of Radha Ballabh Gupta.	: Petitioner	26%
5. Mahesh Kumar Gupta- Youngest son of Radha Ballabh Gupta.	: R4	25%
6. Pinky Goyal - Daughter of Radha Ballabh Gupta	: R9	5%

The Petitioner has also submitted that according to section 4(1) of Kerala Joint Hindu Family System (Abolition) Act, 1975 which was introduced with the intention of abolishment of Joint Family System, among Hindus in the state of Kerala, which came into effect from 01/12/1976, the properties belonging to HUF shall vest with coparceners from the effective date by operation of law. On account of this enactment, all the more, it is necessary that HUF holding assets without partition is in conflict with the above enactment and therefore, the coparceners are entitled to partition of assets to their individual names. The Abolition of the Joint Family System in the state of Kerala is also a material change by operation of Law affecting the capital structure of the Company, control and management of the Company.

The petitioner further submitted that in the event of approval of this Company Petition by this Tribunal will put to an end the cross holdings of the Coparceners and 100% ownership will devolve on the persons who are presently managing and in control with the result all the cases pending will also be automatically resolved to the satisfaction of all the parties which will pave the way for an end to a long-drawn family feud and disputes. Accordingly, this petition is filed to put an end to the HUF family disputes through the intervention of this Tribunal.

The Petitioner has sought 3 main reliefs as well as 3 interim reliefs. However, since valuation has already been done in this case, the learned counsel for the petitioner did not insist to pass orders on interim relief.

Learned counsel for R2 and R5 vehemently opposed the reliefs sought in the CP.

I have heard the learned counsel for the petitioners and learned counsel for R2 and R5 and also perused the records attached with the Petition.

The petitioners are directed to issue fresh notice to the respondents except R2 and R5 through email and Registered Post with A/D / Speed post with A/D and submit proof of service (A/D card or Postal Track Report) with an affidavit before the next date fixed. Registry is also directed to issue notice to the respondents except R2 and R5 through email. Respondents are directed to file their counter within three weeks.

List on 28.04.2021.

4 CP/14/KOB/2021

Learned PCS for the Petitioner Shri PP Zibi Jose appeared through VC. Learned counsel for R2 Shri Sherry Samuel Oommen and learned counsel for R5 Shri Sukumar Oommen also appeared through VC.

This is a Company Petition filed by Shri Vishnukant Gupta against M/s. RBG Retail Pvt Ltd and 8 others seeking intervention of this Tribunal for re-allocation of shares held by coparceners of RBG HUF in the subject Company aligning with the MOU signed by the parties therein dated 15.09.2016 for partition of RBG HUF assets. The petitioner has alleged many instances of oppression and mismanagement against the respondents.

The Petitioner submitted that due to family disputes, the RBG HUF is now practically two groups managing the Companies. One group in spite of the MOU is trying to take over the other group Companies on account of their numerical majority. There are several cases pending in this Tribunal on account of the family disputes. It is also submitted that all RBG shareholders holding their shares in their individual capacity as well as in the capacity as coparcener of RBG HUF is one and the same as all the assets of the RBG HUF belongs to everybody in the RBG HUG and the MOU signifies an important document for the ultimate solution to the RBG HUF family dispute. According to the petitioner if the MOU is implemented, all the disputes with respect to the seven companies can be resolved once for all.

There are 6 family members in the family. According to the Petitioner, as per the MOU, the co-parceners are entitled to the following shareholding pattern in the R1 Company:

1. Radha Ballabh Gupta- Karta of RBG HUF	: R2	17%
2. Sulochana Gupta- Wife of Radha Ballabh Gupta	: R5	00
3. Rajkumar Gupta - Eldest son of Radha Ballabh Gupta.	: R3	27%
4. Vishnukant Gupta- Second son of Radha Ballabh Gupta.	: Petitioner	26%
5. Mahesh Kumar Gupta- Youngest son of Radha Ballabh Gupta.	: R4	25%
6. Pinky Goyal - Daughter of Radha Ballabh Gupta	: R9	5%

The Petitioner has also submitted that according to section 4(1) of Kerala Joint Hindu Family System (Abolition) Act, 1975 which was introduced with the intention of abolishment of Joint Family System, among Hindus in the state of Kerala, which came into effect from 01/12/1976, the properties belonging to HUF shall vest with coparceners from the effective date by operation of law. On account of this enactment, all the more, it is necessary that HUF holding assets without partition is in conflict with the above enactment and therefore, the coparceners are entitled to partition of assets to their individual names. The Abolition of the Joint Family System

in the state of Kerala is also a material change by operation of Law affecting the capital structure of the Company, control and management of the Company.

The petitioner further submitted that in the event of approval of this Company Petition by this Tribunal will put to an end the cross holdings of the Coparceners and 100% ownership will devolve on the persons who are presently managing and in control with the result all the cases pending will also be automatically resolved to the satisfaction of all the parties which will pave the way for an end to a long-drawn family feud and disputes. Accordingly, this petition is filed to put an end to the HUF family disputes through the intervention of this Tribunal.

The Petitioner has sought 3 main reliefs as well as 3 interim reliefs. The learned PCS for the petitioner in his argument has insisted to pass order on interim relief to *"appoint a valuator for valuation of the shares of the Company as on 31.12.2016"*.

Learned counsel for R2 and R5 vehemently opposed the reliefs sought in the CP.

I have heard the learned counsel for the petitioners as well as learned counsel for R2 and R5 and also perused the records attached with the Petition.

Considering the materials on record, I think it would not be justified to pass any order on interim reliefs without perusing the counter of the respondents.

The petitioners are directed to issue fresh notice to the respondents except R2 and R5 through email and Registered Post with A/D / Speed post with A/D and submit proof of service (A/D card or Postal Track Report) with an affidavit before the next date fixed. Registry is also directed to issue notice to the respondents except R2 and R5 through email. Respondents are directed to file their counter within three weeks.

List on 28.04.2021.

5 CP/15/KOB/2021

Learned PCS for the Petitioner Shri PP Zibi Jose appeared through VC. Learned counsel for R2 Shri Sherry Samuel Oommen and learned counsel for R6 Shri Sukumar Oommen also appeared through VC.

This is a Company Petition filed by Shri Vishnukant Gupta against M/s. RBG Financial Services Pvt Ltd and 6 others seeking intervention of this Tribunal for re-allocation of shares held by coparceners of RBG HUF in the subject Company aligning with the MOU signed by the parties therein dated 15.09.2016 for partition of RBG HUF assets. The petitioner has alleged many instances of oppression and mismanagement against the respondents.

The Petitioner submitted that due to family disputes, the RBG HUF is now practically two groups managing the Companies. One group in spite of the MOU is trying to

take over the other group Companies on account of their numerical majority. There are several cases pending in this Tribunal on account of the family disputes. It is also submitted that all RBG shareholders holding their shares in their individual capacity as well as in the capacity as coparcener of RBG HUF is one and the same as all the assets of the RBG HUF belongs to everybody in the RBG HUF and the MOU signifies an important document for the ultimate solution to the RBG HUF family dispute. According to the petitioner if the MOU is implemented, all the disputes with respect to the seven companies can be resolved once for all.

There are 6 family members in the family. According to the Petitioner, as per the MOU, the co-parceners are entitled to the following shareholding pattern in the R1 Company:

1	Radha Ballabh Gupta- Karta of RBG HUF	: R2	17%
2	Sulochana Gupta- Wife of Radha Ballabh Gupta	: R5	00
3	Rajkumar Gupta - Eldest son of Radha Ballabh Gupta.	: R3	27%
4	Vishnukant Gupta- Second son of Radha Ballabh Gupta.	: Petitioner	26%
5	Mahesh Kumar Gupta- Youngest son of Radha Ballabh Gupta.	: R4	25%
6	Pinky Goyal - Daughter of Radha Ballabh Gupta	: R9	5%

The Petitioner has also submitted that according to section 4(1) of Kerala Joint Hindu Family System (Abolition) Act, 1975 which was introduced with the intention of abolishment of Joint Family System, among Hindus in the state of Kerala, which came into effect from 01/12/1976, the properties belonging to HUF shall vest with coparceners from the effective date by operation of law. On account of this enactment, all the more, it is necessary that HUF holding assets without partition is in conflict with the above enactment and therefore, the coparceners are entitled to partition of assets to their individual names. The Abolition of the Joint Family System in the state of Kerala is also a material change by operation of Law affecting the capital structure of the Company, control and management of the Company.

The petitioner further submitted that in the event of approval of this Company Petition by this Tribunal will put to an end the cross holdings of the Coparceners and 100% ownership will devolve on the persons who are presently managing and in control with the result all the cases pending will also be automatically resolved to the satisfaction of all the parties which will pave the way for an end to a long drawn family feud and disputes. Accordingly, this petition is filed to put an end to the HUF family disputes through the intervention of this Tribunal.

The Petitioner has sought 3 main reliefs as well as 2 interim reliefs. The learned PCS for the petitioner in his argument insisted to pass order on interim relief to *"appoint a valuator for valuation of the shares of the Company as on 31.12.2016"*.

Learned counsel for R2 and R6 vehemently opposed the reliefs sought in the CP.

I have heard the learned counsel for the petitioner as well as learned counsel for R2 and R6 and also perused the records attached with the Petition.

Considering the materials on record, I think it would not be justified to pass any order on interim reliefs without perusing the counter of the respondents.

The petitioners are directed to issue fresh notice to the respondents except R2 and R6 through email and Registered Post with A/D / Speed post with A/D and submit proof of service (A/D card or Postal Track Report) with an affidavit before the next date fixed. Registry is also directed to issue notice to the respondents except R2 and R6 through email. Respondents are directed to file their counter within three weeks.

List on 28.04.2021.

6 CP/16/KOB/2021

Learned PCS for the Petitioner Shri PP Zibi Jose appeared through VC. Learned counsel for R2 Shri Sherry Samuel Oommen and learned counsel for R5 Shri Sukumar Oommen also appeared through VC.

This is a Company Petition filed by Shri Vishnukant Gupta against M/s. RBG Trading Corporate Pvt Ltd and 8 others seeking intervention of this Tribunal for re-allocation of shares held by coparceners of RBG HUF in the subject Company aligning with the MOU signed by the parties therein dated 15.09.2016 for partition of RBG HUF assets. The petitioner has alleged many instances of oppression and mismanagement against the respondents.

The Petitioner submitted that due to family disputes, the RBG HUF is now practically two groups managing the Companies. One group in spite of the MOU is trying to take over the other group Companies on account of their numerical majority. There are several cases pending in this Tribunal on account of the family disputes. It is also submitted that all RBG shareholders holding their shares in their individual capacity as well as in the capacity as coparcener of RBG HUF is one and the same as all the assets of the RBG HUF belongs to everybody in the RBG HUG and the MOU signifies an important document for the ultimate solution to the RBG HUF family dispute. According to the petitioner if the MOU is implemented, all the disputes with respect to the seven companies can be resolved once for all.

There are 6 family members in the family. According to the Petitioner, as per the MOU, the co-parceners are entitled to the following shareholding pattern in the R1 Company:

1. Radha Ballabh Gupta- Karta of RBG HUF	: R2	17%
2. Sulochana Gupta- Wife of Radha Ballabh Gupta	: R5	00
3. Rajkumar Gupta - Eldest son of Radha Ballabh Gupta.	: R3	27%

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|---|--------------|-----|
| 4. Vishnukant Gupta- Second son of Radha Ballabh Gupta. | : Petitioner | 26% |
| 5. Mahesh Kumar Gupta- Youngest son of Radha Ballabh Gupta. | : R4 | 25% |
| 6. Pinky Goyal - Daughter of Radha Ballabh Gupta | : R9 | 5% |

The Petitioner has also submitted that according to section 4(1) of Kerala Joint Hindu Family System (Abolition) Act, 1975 which was introduced with the intention of abolishment of Joint Family System, among Hindus in the state of Kerala, which came into effect from 01/12/1976, the properties belonging to HUF shall vest with coparceners from the effective date by operation of law. On account of this enactment, all the more, it is necessary that HUF holding assets without partition is in conflict with the above enactment and therefore, the coparceners are entitled to partition of assets to their individual names. The Abolition of the Joint Family System in the state of Kerala is also a material change by operation of Law affecting the capital structure of the Company, control and management of the Company.

The petitioner further submitted that in the event of approval of this Company Petition by this Tribunal will put to an end the cross holdings of the Coparceners and 100% ownership will devolve on the persons who are presently managing and in control with the result all the cases pending will also be automatically resolved to the satisfaction of all the parties which will pave the way for an end to a long drawn family feud and disputes. Accordingly, this petition is filed to put an end to the HUF family disputes through the intervention of this Tribunal.

The Petitioner has sought 3 main reliefs as well as 3 interim reliefs. The learned PCS for the petitioner in his argument insisted to pass order on interim relief to *“appoint a valuator for valuation of the shares of the Company as on 31.12.2016”*.

Learned counsel for R2 and R5 vehemently opposed the reliefs sought in the CP.

I have heard the learned counsel for the petitioners as well as learned counsel for R2 and R5 and also perused the records attached with the Petition.

Considering the materials on record, I think it would not be justified to pass any order on interim reliefs without perusing the counter of the respondents.

The petitioners are directed to issue fresh notice to the respondents except R2 and R5 through email and Registered Post with A/D / Speed post with A/D and submit proof of service (A/D card or Postal Track Report) with an affidavit before the next date fixed. Registry is also directed to issue notice to the respondents except R2 and R5 through email. Respondents are directed to file their counter within three weeks.

List on 28.04.2021.

7 CP/17/KOB/2021

Learned PCS for the Petitioner Shri PP Zibi Jose appeared through VC. Learned counsel for R2 Shri Sherry Samuel Oommen and learned counsel for R13 Shri Sukumar Oommen also appeared through VC.

This is a Company Petition filed by Smt Ankita Gupta, W/o of Shri Vishnukant Gupta against M/s. RBG Broking Pvt Ltd and 15 others seeking intervention of this Tribunal for re-allocation of shares held by coparceners of RBG HUF in the subject Company aligning with the MOU signed by the parties therein dated 15.09.2016 for partition of RBG HUF assets. The petitioner has alleged many instances of oppression and mismanagement against the respondents.

The Petitioner submitted that due to family disputes, the RBG HUF is now practically two groups managing the Companies. One group in spite of the MOU is trying to take over the other group Companies on account of their numerical majority. There are several cases pending in this Tribunal on account of the family disputes. It is also submitted that all RBG shareholders holding their shares in their individual capacity as well as in the capacity as coparcener of RBG HUF is one and the same as all the assets of the RBG HUF belongs to everybody in the RBG HUF and the MOU signifies an important document for the ultimate solution to the RBG HUF family dispute. According to the petitioner if the MOU is implemented, all the disputes with respect to the seven companies can be resolved once for all.

There are 6 family members in the family. According to the Petitioner, as per the MOU, the co-parceners are entitled to the following shareholding pattern in the R1 Company:

1. Radha Ballabh Gupta- Karta of RBG HUF	: R2	17%
2. Sulochana Gupta- Wife of Radha Ballabh Gupta	: R5	00
3. Rajkumar Gupta - Eldest son of Radha Ballabh Gupta.	: R3	27%
4. Vishnukant Gupta- Second son of Radha Ballabh Gupta.	: Petitioner	26%
5. Mahesh Kumar Gupta- Youngest son of Radha Ballabh Gupta.	: R4	25%
6. Pinky Goyal - Daughter of Radha Ballabh Gupta	: R9	5%

The Petitioner has also submitted that according to section 4(1) of Kerala Joint Hindu Family System (Abolition) Act, 1975 which was introduced with the intention of abolishment of Joint Family System, among Hindus in the state of Kerala, which came into effect from 01/12/1976, the properties belonging to HUF shall vest with coparceners from the effective date by operation of law. On account of this enactment, all the more, it is necessary that HUF holding assets without partition is in conflict with the above enactment and therefore, the coparceners are entitled to partition of assets to their individual names. The Abolition of the Joint Family System in the state of Kerala is also a material change by operation of Law affecting the capital structure of the Company, control and management of the Company.

The petitioner further submitted that in the event of approval of this Company Petition by this Tribunal will put to an end the cross holdings of the Coparceners and

100% ownership will devolve on the persons who are presently managing and in control with the result all the cases pending will also be automatically resolved to the satisfaction of all the parties which will pave the way for an end to a long-drawn family feud and disputes. Accordingly, this petition is filed to put an end to the HUF family disputes through the intervention of this Tribunal.

The Petitioner has sought 2 main reliefs as well as 2 interim reliefs. The learned PCS for the petitioner in his argument insisted to pass order on interim relief to “*appoint a valuator for valuation of the shares of the Company as on 31.12.2016*”.

Learned counsel for R2 and R13 vehemently opposed the main reliefs as well as interim reliefs sought in the CP.

I have heard the learned counsel for the petitioners as well as learned counsel for R2 and R13 and also perused the records attached with the Petition.

Considering the materials on record, I think it would not be justified to pass any order on interim reliefs without perusing the counter of the respondents.

The petitioners are directed to issue fresh notice to the respondents except R2 and R13 through email and Registered Post with A/D / Speed post with A/D and submit proof of service (A/D card or Postal Track Report) with an affidavit before the next date fixed. Registry is also directed to issue notice to the respondents except R2 and R13 through email. Respondents are directed to file their counter within three weeks.

List on 28.04.2021.

8 CP/18/KOB/2021

Learned PCS for the Petitioner Shri PP Zibi Jose appeared through VC. Learned counsel for R4 Shri Sherry Samuel Oommen and learned counsel for R7 Shri Sukumar Oommen also appeared through VC.

This is a Company Petition filed by Shri Vishnukant Gupta HUF against M/s. RBG Commodities Ltd and 7 others seeking intervention of this Tribunal for re-allocation of shares held by coparceners of RBG HUF in the subject Company aligning with the MOU signed by the parties therein dated 15.09.2016 for partition of RBG HUF assets. The petitioner has alleged many instances of oppression and mismanagement against the respondents.

The Petitioner submitted that due to family disputes, the RBG HUF is now practically two groups managing the Companies. One group in spite of the MOU is trying to take over the other group Companies on account of their numerical majority. There are several cases pending in this Tribunal on account of the family disputes. It is also submitted that all RBG shareholders holding their shares in their individual capacity as well as in the capacity as coparcener of RBG HUF is one and the same as all the assets of the RBG HUF belongs to everybody in the RBG HUF and the MOU

signifies an important document for the ultimate solution to the RBG HUF family dispute. According to the petitioner if the MOU is implemented, all the disputes with respect to the seven companies can be resolved once for all.

There are 6 family members in the family. According to the Petitioner, as per the MOU, the co-parceners are entitled to the following shareholding pattern in the R1 Company:

1. Radha Ballabh Gupta- Karta of RBG HUF	: R2	17%
2. Sulochana Gupta- Wife of Radha Ballabh Gupta	: R5	00
3. Rajkumar Gupta - Eldest son of Radha Ballabh Gupta.	: R3	27%
4. Vishnukant Gupta- Second son of Radha Ballabh Gupta.	: Petitioner	26%
5. Mahesh Kumar Gupta- Youngest son of Radha Ballabh Gupta.	: R4	25%
6. Pinky Goyal - Daughter of Radha Ballabh Gupta	: R9	5%

The Petitioner has also submitted that according to section 4(1) of Kerala Joint Hindu Family System (Abolition) Act, 1975 which was introduced with the intention of abolishment of Joint Family System, among Hindus in the state of Kerala, which came into effect from 01/12/1976, the properties belonging to HUF shall vest with coparceners from the effective date by operation of law. On account of this enactment, all the more, it is necessary that HUF holding assets without partition is in conflict with the above enactment and therefore, the coparceners are entitled to partition of assets to their individual names. The Abolition of the Joint Family System in the state of Kerala is also a material change by operation of Law affecting the capital structure of the Company, control and management of the Company.

The petitioner further submitted that in the event of approval of this Company Petition by this Tribunal will put to an end the cross holdings of the Coparceners and 100% ownership will devolve on the persons who are presently managing and in control with the result all the cases pending will also be automatically resolved to the satisfaction of all the parties which will pave the way for an end to a long-drawn family feud and disputes. Accordingly, this petition is filed to put an end to the HUF family disputes through the intervention of this Tribunal.

The Petitioner has sought 2 interim reliefs along with the main relief. The learned PCS for the petitioner in his argument insisted to pass order on interim relief to *"appoint a valuator for valuation of the shares of the Company as on 31.12.2016"*.

Learned counsel for R4 and R7 vehemently opposed the main reliefs as well as interim reliefs sought in the CP.

I have heard the learned counsel for the petitioners as well as learned counsel for R4 and R7 and also perused the records attached with the Petition.

Considering the materials on record, I think it would not be justified to pass any order on interim reliefs without perusing the counter of the respondents.

The petitioners are directed to issue fresh notice to the respondents except R4 and R7 through email and Registered Post with A/D / Speed post with A/D and submit

proof of service (A/D card or Postal Track Report) with an affidavit before the next date fixed. Registry is also directed to issue notice to the respondents except R4 and R7 through email. Respondents are directed to file their counter within three weeks.

List on 28.04.2021.

9 IA(IBC)/32/KOB/2021 IN MA/9/(KOB)/19 IN CP(IB)/689/17(CHENNAI BENCH)

Learned counsel for the applicant Shri VA Ramalingam submitted an email seeking an adjournment for curing the defects in the written submissions filed on behalf of the Corporate Debtor. Learned GP for R1, R2, R5, R6, R12, R13 & R14 Shri Mohammed Fazil MP and learned counsel for R10 & R11 Shri Akhil Suresh expressed their willingness to appear through VC. No response from other parties.

Adjourned to 21.04.2021.

10 IBA/48/KOB/2019

None has appeared for the parties. It appears that the CD has filed the counter on 22.03.2021. Learned counsel for the Operational Creditor Shri Akhil Suresh submitted an email seeking two weeks adjournment for filing the rejoinder.

List on 01.04.2021. Before that date, the OC is directed to file the rejoinder. Since this is an IBC matter, the parties may bear in mind that this case cannot be prolonged and **hence there shall be no further adjournment in this case.**

11 CP/44/KOB/2020

Learned counsel for the petitioners Smt. Rema Smrithi as well as learned counsel for the R1 to R3 Shri Dhiren R. Dave appeared through VC. Counter has already been filed by R1 to R3. Smt. Rema Smrithi submitted that the Respondents have not mentioned anything in the counter about the interim relief sought by the petitioner in the Company Petition. Shri Dhiren R. Dave submitted that the petition itself is not maintainable and not a single relief within the parameters of Section 241 and 242 of the Companies Act, 2013. R1 to R3 in their counter have also stated that the petitioners are not Shareholders of the Company and also that the petition is patently barred by limitation

After hearing both sides and perusing the whole documents, I think if the interim relief is allowed as sought for by the Petitioner, it may tantamount to the disposal of the Company Petition. Therefore, the petitioner is directed to file his rejoinder, if any, within a week.

List on 22.04.2021 for final hearing.

12 CP/104/KOB/2019

Learned counsel for the petitioners Shri Srikanth Mohan appeared through VC. Learned counsel for R1, R2, R20 & R25 Shri Pranoy Harilal sought an adjournment through email stating that his senior is unable to appear due to a medical emergency. Though learned counsel for R3-R16, R18, R23 & R24 Shri Yoginthnath sought an adjournment without stating any reason through email, he appeared through VC. Learned counsel for R22 Shri Vivek Kumar also appeared through VC.

Those Respondents, who have not yet filed the counter, are directed to file the counter positively within a week, failing which law will take its own course.

Next date is fixed for hearing. Since this case is pending from 2019, the parties may bear in mind that this case cannot be prolonged and **hence there shall be no further adjournment in this case.**

List on 29.04.2021 at 2.30 pm for hearing, before that date the learned counsel of the parties may file their Written Argument (limiting 5/6 pages).

13 CP/112/KOB/2019

Learned counsel for the petitioners Shri Skrikanth Mohan appeared through VC. Learned counsel for R1, R4 & R23 Shri Pranoy Harilal sought an adjournment through email stating that his senior is unable to appear due to a medical emergency. Though learned counsel for R2, R3, R5-R13, R16, R17, R20 & R22 Shri Yoginthnath sought an adjournment without any reason through email, he appeared through VC. Learned counsel for R18 Shri Vivek Kumar also appeared through VC. No response from other parties.

Those Respondents, who have not yet filed the counter, are directed to file the counter positively within week, failing which law will take its own course.

Next date is fixed for hearing. Since this case is pending from 2019, the parties may bear in mind that this case cannot be prolonged and **hence there shall be no further adjournment in this case.**

List on 29.04.2021 at 2.30 pm for hearing, before that date the learned counsel of the parties may file their Written Argument (limiting 5/6 pages).

14 CP/113/KOB/2019

Learned counsel for the petitioners Shri Srikanth Mohan appeared through VC. Learned counsel for R2, R5-R14, R16, R18 to R20, R23 & R26 Shri Yoginthnath also appeared through VC. Learned counsel for R1, R4, R15, R24 & R254 & R23

Shri Pranoy Harilal sought an adjournment through email stating that his senior is unable to appear due to a medical emergency.

Those Respondents, who have not yet filed the counter, are directed to file the counter positively within week, failing which law will take its own course.

Next date is fixed for hearing. Since this case is pending from 2019, the parties may bear in mind that this case cannot be prolonged and **hence there shall be no further adjournment in this case.**

List on 29.04.2021 at 2.30 pm for hearing, before that date the learned counsel of the parties may file their Written Argument (limiting 5/6 pages).