

MENTIONING

COMPANY LAW BOARD  
NEW DELHI BENCH  
NEW DELHI

CP NO. 66/MB/2016

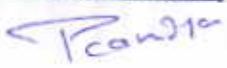


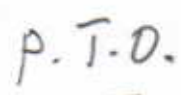
CA NO.

PRESENT: CHIEF JUSTICE M. M. KUMAR  
CHAIRMAN

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING OF NEW DELHI BENCH OF THE  
COMPANY LAW BOARD ON 12.05.2016

NAME OF THE COMPANY: **Muthukumar balasubramanian *alias***  
**Muthu Balasubramanian Kumar and Anr**  
**Vs.**  
**M/s. Furtuna Engineering Pvt. Ltd. & Ors.**

SECTION OF THE COMPANIES ACT: 397, 398 the Companies Act 1956.

S.NO.	NAME	DESIGNATION	REPRESENTATION	SIGNATURE
1.	Prakash K. Pandya	PCS	Rep. all Respondents	
2.	Pranav M. Aggarwal	Advocate	for Petitioner.	
	Prashant Mehra Adv			
	Anur Aggarwal			
	Mr. Jyoti J. Adv.			
	Solicitor			

## ORDER

Petition mentioned.

Ld. counsel for the petitioner has inter alia, argued that a meeting of the General Body is slated to be held on 13.05.2016 at 2.30 PM. According to the ld. counsel the resolution proposed by agenda item is that Petitioner No.1 may be removed from the office of Director from the Respondent No.1 company with immediate effect. The petitioner states that he has been working as Director from the year 2000 and has contributed for the growth of Respondent No.1 company.

2. Ld. counsel for the respondent states that the petitioner has been working for a company which is in competition with the Respondent No.1 company and is also running his own proprietorship firm.

3. The aforesaid allegations have been denied by the ld. counsel for the petitioner. He has argued that the business of the company to which reference has been made by the respondent is not exactly the same.

4. Be that as it may, the holding of EOGM cannot be stayed as has been held by Constitution Bench of the Supreme Court in the case of L.I.C. v. Escorts Ltd. (1986)1SCC 264. Accordingly the meeting slated to be held on 13.05.2016 at 2.30 PM may proceed and the resolution concerning Petitioner No.1, if passed in the meeting may not be given effect till the next date of hearing.

5. Reply be filed within two weeks with a copy in advance to the counsel for the petitioner when the question of resolution passed on 13.05.2016 shall be reviewed.

6. List on 31.05.2016 at 2.00 PM

  
[CHIEF JUSTICE M.M. KUMAR]  
CHAIRMAN

Date: 13.05.2016  
[ravi]