

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

***REVIEW PETITION (L) NO. 1 OF 2014
IN
COMPANY APPEAL (L) NO. 92 OF 2013
IN
CLB COMPANY PETITION NO. 36 OF 2011***

Simplex Crane Services Pvt. Ltd. ... Petitioner

v/s

Mr.Pravin C. Chheda ... Respondent

Mr.Vilas Jadhav for the petitioner.

CORAM: NITIN M. JAMDAR, J.

DATED : 1ST APRIL, 2015

ORAL ORDER:

Heard learned counsel for the petitioner.

2. By this review petition, the petitioner seeks to review the order dated 4 December 2013.

3. In the Company Appeal, the applicant had challenged the order passed by Company Law Board dated 30 October 2013 rejecting the application of the applicant for cross-examination of non-applicant Nos.1 and 2. After considering the arguments made by the learned counsel for the applicant-original appellant, the

appeal was rejected holding that the attempt on the part of the appellant was only to delay the proceedings. It was noted that the applicant No.2 is the brother of the non-applicants and his attempt was to keep his brothers out of the management. Considering the conduct of the appellant of dragging on the litigation in spite of time bound direction given by the Court, the appeal was rejected and the order of the Company Law Board was confirmed.

4. The review is filed on 2 January 2014 and no attempts were made to circulate the same. The grounds given in the review petition are the reiteration of the arguments made earlier. The appeal was dismissed on the ground of the conduct of the applicant and the applicant has perpetuated in his conduct of dragging on the litigation.

5. Having gone through the grounds of review, I do not find that any case is made out for review of the order passed. After conclusion of proceedings before the Company Law Board, it will be open to the applicant to challenge the order of the Company Law Board, on merits.

6. The review application is accordingly rejected.

(*NITIN M. JAMDAR, J.*)