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

**COMPANY APPEAL NO. 61 OF 2013
WITH
COMPANY APPLICATION NO.50 OF 2014
IN
COMPANY APPEAL NO.61 OF 2013
COMPANY PETITION NO.70 OF 2012**

Kishor Mohanlal Shah Haraniya & Anr. ...Appellants.

VS

M/s Dura Home Builders & Developers P.Ltd.& Ors. ...Respondents

.....

Mr R.S.Apte, Sr. Advocate with Mr N.R.Bubna the the Appellants.
Mr Arif Bookwala a/w Tejal Pandya & Dharmesh Pandya i/b Ashwin Pandya &
Associates for Respondent Nos.1 to 3.

.....

CORAM : S.C. GUPTE, J.

AUGUST 03, 2015

P.C. :

By consent of parties, the Company Appeal is allowed and the matter is remanded to the Company Law Board ("CLB") for fresh hearing in accordance with law. In view of the fact that the impugned order is set aside, the Company Application shall revive and be heard by CLB in accordance with law. All contentions of the parties on merits are kept open. In view of disposal of the Appeal, the Company Application does not survive and the same is also disposed of.

(S.C.GUPTE J.)