

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :03.03.2015

CORAM

THE HONOURABLE MRS. JUSTICE S.VIMALA

C.S.No.751 of 2013

and

Original Application Nos.870 and 871 of 2013

Aruna Hotels Limited,
No.144-145, Sterling Road,
Nungambakkam,
Chennai - 600 034.

... Plaintiff

Vs.

1. Kamal Babbar
2.Shama Chauhan

... Defendants

PRAYER: Plaint filed under Order IV Rule 1 High Court Rules Read with Order VII, Rule 1 of CPC praying for the following relief:

a) A Declaration that the Notice dated 13.08.2013 issued by the Defendants 1 & 2 to the Plaintiff Company to convene the Extraordinary General Meeting of the members of the Plaintiff Company under Section 169 of the Companies Act, 1956 to transact the business by ordinary solutions as included in the said Notice as unlawful, illegal and contrary to the provisions of Sections 169 & 284 of the Companies Act, 1956 and Section 100 of the Companies Act, 2013 and is non-est in law;

b) Permanent Injunction restraining the Defendants 1 & 2 from in any manner convening by themselves or by or through any other persons convening any meeting of the Plaintiff Company including the EGM as

proposed under the Notice dated 03.04.2013 to be held on 09.11.2013.

c) Permanent injunction restraining the first Defendant from in any manner interfering with the conduct of business of the Plaintiff Company.

For Plaintiffs : Mr.A.Prabhakar Reddy

For D1 : Service completed

For D2 : Mr.R.Sangaranarayanan

J U D G M E N T

Today, when the matter is taken up for consideration, both the parties and their respective counsel are present and a Memo has been filed by the plaintiff, wherein, it is stated that the dispute between the parties has been amicably settled out of Court.

2. Recording the memo filed by the plaintiff, this Civil Suit is dismissed as settled out of Court. Half Court Fee is ordered to be refunded in the name of the plaintiff's counsel. Consequently, connected applications are closed. No costs.

03.03.2015

ogy/arr

S.VIMALA, J.

ogy/arr

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