

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

**COMPANY APPEAL (L) NO.4 OF 2016
IN
CLB/COMPANY PETITION NO.104 OF 2011**

Den Nasik City Cable Network Pvt. Ltd. & Ors.Appellants

V/s.

Milind Dayaram Kapse & Ors.Respondents

Mr.Zal Andhyarujina a/w Rahul Dwarkadas & Prachi Dhanani i/by
Veritas Legal for the appellants.

Adv.Priya Ranade & Abhay Tikekar i/by S.Venkatesh for the
respondent nos.1 to 10.

Adv.Suraj Aiyer i/by Ganesh & Co. for respondent no.11.

**CORAM : K.R.SHRIRAM,J
DATE : 4.2.2016**

P.C.:-

1 After hearing the counsel for the appellant and the counsel
for the respondents for some time, it was suggested by the opposing
counsels that the following consent order be passed :-

ORDER

- (a) The respondents have no objection if the EOGM is held ;
- (b) The company will hold the EOGM on any date after giving due notice to all the shareholders ;
- (c) If the only Resolution in the agenda of EOGM is passed, the company will not act on the Resolution until further orders from Company Law Board ;
- (d) The counsels for the appellants and the respondents state that parties will not ask for

adjournment on the dates fixed by the Company Law Board ;

(e) Since the dead line for digitalization is in the first week of March-2016, the Company law Board, subject to its convenience, may consider hearing the petition expeditiously ;

2 Shri Andhyarujina states that the sentence in page-3 of the impugned order be expunged- “Accordingly to the applicant all this is being done to achieve an oblique motive.....” In my view, there is no such necessity because the Member has merely recorded the submission of the applicant.

3 Mr.Suraj Aiyer i/by Ganesh & Co. undertakes to file Vakalatnama on behalf of the respondent no.11 during the course of today.

4 Accordingly the appeal stands disposed. Company application if any, also accordingly does not survive.

(K.R.SHRIRAM,J)

CERTIFICATE

**Certified to be true and correct copy of the original
signed Judgment/Order.**