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

COMPANY APPEAL (LODG.) NO.10 OF 2016
WITH
CLB COMPANY APPLICATION NO.178 OF 2015
IN
CLB COMPANY PETITION NO.44 OF 2015

Oil Tools International Services Pvt. Ltd. & Ors. ….Appellants

V/s.

ACE Oilfields Supply & Ors. ….Respondents

Mr. Rahul Narichania, senior advocate a/w. Mr. Prathamesh N. Kamat i/b. Yashodhan Gavankar for the appellants.
None for the respondents.

CORAM : K.R.SHRIRAM,J
DATE : 18th FEBRUARY, 2016

P.C.:-

1 This appeal, in my view, is not maintainable under section 10F of the Companies Act, 1956. The reason for this is that there is no order passed by the Company Law Board.

2 The counsel for the appellants submits that their grievance is that the Company Law Board is yet to hear and decide the application filed by the appellants and due to delay, they are suffering grave prejudice.

3 In the order passed on 8th January, 2016, copy whereof is annexed at Exhibit 'A' to the petition, it is stated that on the next date, if the settlement does not fructify, the parties will go on with the matter. The next date is 19th February, 2016, i.e., tomorrow.

4 The counsel for the appellants, on instructions states that this matter is not listed tomorrow and therefore, will not be decided tomorrow.

5 It will not be correct for me to fix the board of Company Law Board. Nevertheless it is open to the applicants to apply to the Company Law Board to fix a date, at its earliest convenience to hear and dispose of the application. If such an application is made, the Company Law Board, naturally will consider the same.

6 The appeal accordingly stands disposed. The company application also stands disposed.

(K.R.SHRIRAM,J)

Gauri Gaekwad