

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

**COMPANY APPEAL NO.68 OF 2015
IN
COMPANY APPLICATION NO.201 OF 2014
IN
COMPANY PETITION NO.36 OF 2014
AND
COMPANY APPLICATION NO.61 OF 2015**

M/s UBC Engineers Private Limited

And Others

... Appellants

Versus

R. Prasanth And Others

... Respondents

.....

Ms. Prachi Manekar a/w Mr. Navneet Wagalkar i/b P. Manekar & Shruti Kelji for the Appellants.

Mr. B. Chandran i/b Law Focus for Respondent No.1.

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CORAM : S.C.GUPTE, J.

DATE : 19 AUGUST 2016.

P.C. :

. After hearing the matter at some length, the Company Appeal is disposed of by consent of the parties in terms of the following order.

: O R D E R :

1. The impugned order dated 28 April 2015 passed by Company Law Board, Mumbai ('CLB') is quashed and set aside.
2. Respondent No.1 herein (Original Petitioner) states that he withdraws the application for valuation of shares dated 7 April 2015 being C.A. No.61 of 2015.

3. Company Petition No.36 of 2014 be tagged and heard alongwith the Class Action, namely, CP/1/245 of 2016.
4. CP/1/245 of 2016 that is pending before the Principal National Company Law Tribunal, (NCLT) New Delhi is transferred to NCLT, Mumbai for final hearing.
5. The pleadings in Company Petition No.36 of 2014 are nearly complete. However, in case any further pleadings or documents need to be filed, the same shall be filed within three weeks from today. The Respondents to the Class Action, being CP/1/245 of 2016, shall file their reply within a period of one week from today. Rejoinder, if any, by the Petitioners shall be filed within a period of two weeks thereafter.
6. All contentions of the Appellants on merits including the grounds, if any, for vacation of interim reliefs are kept open and this order is without prejudice to the respective rights and contentions of the parties on merits.
7. NCLT, Mumbai shall endeavor to dispose of the Company Petitions (namely, CP 36 of 2014 and CP 1/245 of 2016) in a period of 12 weeks.

(S.C.GUPTE, J.)