

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**ORDINARY ORIGINAL CIVIL JURISDICTION****COMPANY APPEAL NO.49 OF 2016
IN
COMPANY PETITION NO.66/MB OF 2016
WITH
COMPANY APPLICATION NO.46 OF 2016
IN
COMPANY APPEAL NO.49 OF 2016
IN
COMPANY PETITION NO.66/MB OF 2016**

Fortuna Engineering Pvt. Ltd. And 3 Ors. ...Appellants/Applicants

vs.

Muthukumar Balasubramanian And Anr. ...Respondents

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Mr. Suhas Joshi, i/b. Legalogic Consulting, for the Appellants/Applicants.

Mr. Dubash, a/w. Mr. Mohite, i/b. Vigil Juris, for Respondent Nos. 1 and 2.

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CORAM : S.C. GUPTE, J.

23 NOVEMBER, 2016

P.C. :

. The subject matter of controversy in the present appeal concerns the directorship of Respondent No.1. The appeal challenges an interim order requiring the Appellants not to act on a resolution removing Respondent No.1 as Director of Appellant No.1 Company. Since after the filing of this appeal, Respondent No.1 has, on his own, resigned from the Directorship of Appellant No.1, the appeal has become practically infructuous. In the premises, learned Counsel for the Appellants does not press the appeal.

2. The appeal is dismissed as not pressed. No order as to costs.

3. In view of the disposal of the appeal, Company Application No.46 of 2016 taken out in the appeal does not survive and the same is disposed of.

(S.C. Gupte, J.)