

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

Amk

**COMPANY APPEAL (L) NO. 55 OF 2014
IN
COMPANY PETITION NO. 40 OF 2011**

Afzal Khan & Anr. ...Appellants

Versus

Mehboob Ayub Khan & Ors. ...Respondents

**WITH
COMPANY APPEAL (L) NO. 56 OF 2014
IN
COMPANY PETITION NO. 42 OF 2011**

Afzal Khan & Anr. ...Appellants

Versus

Yasmin Ayub Khan & Ors. ...Respondents

**WITH
COMPANY APPEAL (L) NO. 65 OF 2014
IN
COMPANY PETITION NO. 97 OF 2011**

Afzul Mehboob Khan & Ors. ...Appellants

Versus

Mehboob Productions Pvt. Ltd. & Ors. ...Respondents

**WITH
COMPANY APPEAL NO. 31 OF 2015
IN
COMPANY PETITION NO. 96 OF 2011**

Afzal Khan & Anr.

...Appellants

Versus

Mehboob Ayub Khan & Ors.

...Respondents

WITH
COMPANY APPEAL NO. 54 OF 2015
IN
COMPANY PETITION NO. 96 OF 2011

Mehboob Ayub Khan & Ors.

...Appellants

Versus

Mehboob Productions Pvt. Ltd. &
Ors.

...Respondents

WITH
COMPANY APPEAL NO. 56 OF 2015
IN
COMPANY PETITION NO. 41 OF 2011

Farida Ayub Khan

...Appellant

Versus

Mehboob Productions Pvt. Ltd. &
Ors.

...Respondents

.....

Mr. Vaibhav Krishna i/b Juris Consillis for the Appellants in COAPP 31/15.

Mr. Siddhesh Bhole a/w. Khalid Khimani, Ms. Rajashree Jain, Ryan Mendes for Respondent Nos.1 to 3 in COAPP 31/15.

Ms. K. R. Davierwala i/b Mulla & Mulla & CB & C for Respondent No.1 in COAPP 56/15 and Respondent No.4 in COAPP 31/15.

Ms. N. A. Sawhney i/b Hooseini Doctor & Co. for Respondent Nos.2 & 7 in COAPP 54/15 and 56/15.

Ms. Ankita Godbole a/w. Mr. Arpit Singhvi i/b Wadia Ghandy & Co. for Respondent No.8 in COAPP 54/15 and 56/15.

CORAM : S. C. GUPTE, J.
DATE : 12th APRIL, 2016.

P. C. :

1. By consent, the following clarification is added in the order dated 28th March, 2016:

The observations of the Company Law Board in para 69 commencing from the words “Yet, it is expected” and ending with the words “mind the paramount interest of the Company” are not considered by this Court whilst dismissing Company Appeal No. 31 of 2015. The rights and contentions of both the parties in Company Appeal No. 31 of 2015 in connection with the above observations and particularly relating to the appointment of Board of Directors, are kept open, to be agitated in Company Appeal No. 54 of 2015.

(S. C. GUPTE, J.)