

\$~41

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CO.A(SB) 44/2015 & CO.APPL. 2726/2015**

MR.S. VEENA SINGH

..... Appellant

Through: None.

versus

**HAWK EYE PROTECTION & DETECTIVE SERVICES PVT. LTD. &
ORS.**

..... Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE SIDDHARTH MRIDUL

ORDER

%

24.11.2016

None appears on behalf of the parties.

The present company appeal as well as the pending applications have already been disposed of by this court by way of order dated 15.09.2016 which reads as follows:-

“The company petition under Section 397 and 398 of the Companies Act, 1956 is pending adjudication before the Company Law Board (CLB). It appears while dealing with an interim application, the CLB made certain observations in para 20 of the order dated 25.06.2015 in matter referred to as CP No.130(ND)14 to the effect that from the perusal of the signatures of the petitioner on the annual returns for about three years indicating the share holding of the petitioner to be only 5%, “it could not be believed at this juncture that all was done keeping the petitioner in dark”.

At the hearing on the appeal at hand, the only grievance pressed by the appellant is that such assumption as above would adversely affect his rights which are yet to be determined. Though the use of the expression “at this juncture” is indicative of the observation made in the said para to be only tentative and for purposes of dealing with interim application, it is clarified that the CLB shall deal with the issues raised in the main appeal pending adjudication before it, uninfluenced by the same. To put it

differently, nothing said in the said interim order shall tantamount to final expression on merits of the case.

The appeal and the pending application are disposed of with these observations.”

In view of the foregoing this matter need not be listed any further.

SIDDHARTH MRIDUL, J

NOVEMBER 24, 2016

mk