

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

**COMPANY APPEAL NO.96 OF 2015
IN
COMPANY PETITION NO.28 OF 2015**

**along with
COMPANY APPLICATION NO.52 OF 2016
IN
COMPANY APPEAL NO.96 OF 2015
IN
COMPANY PETITION NO.28 OF 2015**

Kailsh Ramchand Dewani .. Appellant/Applicant
Vs.
SNT Controls Ltd. & Ors. .. Respondents

Ms. Deepti Mukesh i/by Mr. Bhupendra Parekh for the appellant/
applicant.

Mr. Swapnil Ambure i/by M/s. Dinesh Tiwari & Associates for the
respondent nos. 1 to 3.

**CORAM : R.D. DHANUKA, J.
DATE : 2nd February 2017**

P.C. :

. By this appeal filed under Section 10F of the Companies Act, 1956, the appellant seeks to impugn the order dated 20th May 2015 passed by the Company Law Board refusing to grant interim relief to the appellant as prayed.

2. A perusal of the order passed by the Company Law Board indicates that the Company Law Board directed that the company petition was itself placed for final hearing on 24th June 2014.

3. Learned counsel appearing for the parties state that the said proceedings are now transferred to the National Company Law Tribunal (NCLT). Both the learned counsel state that their clients will not take unnecessary adjournment before the NCLT and proceed with the said company petition. Statements of both the learned counsel are accepted.

4. Since the matter is now pending before the NCLT and no interim order is granted in this company petition, I am not inclined to interfere with the impugned order dated 20th May 2015 passed by the Company Law Board. It is made clear that the NCLT shall decide the company petition on its own merits without being influenced by the prima facie observations made by the Company Law Board in the order dated 20th May 2015.

5. Company appeal is disposed of in aforesaid terms. In view of the disposal of the company appeal, the company application does not survive and is accordingly disposed of. No order as to costs.

R.D. DHANUKA, J.