

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 267 OF 2019

IN

WRIT PETITION NO. 224 OF 2019

KULASEKHAR KANTIPUDI AND ANR., ... Applicants

Versus

THE REGISTRAR OF COMPANIES, GOA
DAMAN AND DIU, MINISTRY OF
CORPORATE AFFAIRS, GOVT. OF
INDIA.,

... Respondent

Adv. Ashwin D. Bhobe for the Applicants.
Adv. Amira Abdul Razaq for Respondent no.1.
Adv. V. P. Thali for the original petitioners.

Coram:- C. V. BHADANG, J.

Date:- 7th June 2019

P.C.:

Heard the learned counsel for the parties.

2. This is an application for impleadment.

3. There was an arbitral award passed by consent, by which the applicants were to retire from Milroc Good Faith Property and Developers/LLP w.e.f 1/4/2018 and from the same date, Mrs. Allaparthi Nagamanga was to be admitted to the said LLP, upon signing of the Cessation deed/agreement.

4. According to the applicants, they have not signed any Cessation deed/agreement. The original petitioners unilaterally executed the Cessation deed/agreement, produced it before the Registrar of Companies. The Registrar of Companies acting on the same deleted the names of the applicants as partners of the said LLP. The applicants approached the Registrar and sought restoration of their names, which the Registrar has allowed, by the orders dated 4/1/2019 and 25/1/2019 which are impugned in the main petition. In short, the original petitioners want the restoration of the earlier order passed by the Registrar, by which the names of the applicants were deleted as partners of the LLP. Such an order cannot obviously be passed behind the back of the applicants. In that view of the matter, the application for impleadment is allowed. The petitioners shall implead the applicants as respondents nos. 2 and 3 and shall serve a copy of the petition along with annexures on the learned counsel appearing for the applicants, who waives service in the main petition.

5. The Writ petition to stand over for admission on 20/6/2019.

C. V. BHADANG, J.

ap/-