



WEB COPY



C.M.P. No.15573 of 2024
in O.S.A. (CAD) SR. No.54552 of 2024

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M.SUNDAR,J.,
and
K.GOVINDARAJAN THILAKAVADI, J.,

(Order of the Court was made by M.SUNDAR, J.)

Captioned 'Civil Miscellaneous Petition' (hereinafter 'CMP' for the sake of brevity) has been filed with a prayer to accept the cause title.

2. Mr.T.S.Baskaran, learned counsel on record for the CMP petitioner submits that in the suit before Hon'ble Commercial Division of this Court, petitioner company 'Hindustan Colas Private Limited' (hereinafter 'HCPL' for the sake of brevity) was represented by its Chief Operating Officer Mr.Raju N.Nair but in the appeal now, there is a change with regard to the natural person who will be representing HCPL which is a juristic person. Learned counsel submitted that Mr.Sanjay Malhotra, Chief Executive Officer of HCPL will now represent the company in the appeal proceedings. In support of the accept the cause title prayer, learned counsel drew our attention to a Board resolution of HCPL dated 16.05.2023



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made in the 129th Board Meeting of the company and a Power of Attorney dated 01.06.2023 executed by the company i.e., HCPL represented by its Director Mr.Subodh Batra in favour of Mr.Sanjay Malhotra, pursuant to the Board resolution.

3. As we find the prayer to be innocuous at this stage, we accede to the prayer but we make it clear that all the rights and contentions of the respondent are preserved if there is any disputation or contestation with regard to Mr.Sanjay Malhotra representing HCPL or the Board resolution and the Power of Attorney alluded to supra.

4. In the light of the narrative thus far, captioned CMP is ordered as prayed for i.e., allowed albeit with the aforementioned preservation of rights. There shall be no order as to costs.

(M.S.J.) (K.G.T.J.)
21.08.2024

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