

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-12-2024

CORAM

THE HONOURABLE MR JUSTICE S. S. SUNDAR

AND

THE HONOURABLE MR.JUSTICE P. DHANABAL

CMP.Nos.28018 & 28656 of 2024

IN

OSA SR.Nos.160181 & 166940 of 2024

BINNY LIMITED

A PUBLIC LTD, COMPANY, HAVING ITS REGISTERED
PLACE OF BUSINESS AT NO.1, COOKS ROAD,
PERAMBUR, CHENNAI-600 012

APPELLANT(S)

Vs

RAJIV BAKSHI

S/O. B.M.BAKSHI, 161, SUKHDEV VIHAR, NEW DELHI-
110025 AND 6 OTHERS

RESPONDENT(S)

COMMON ORDER

(Order of the Court was made by the Hon'ble S.S.Sundar J.)

These petitions to condone the delay of 115 and 122 days in filing the above appeals are not seriously opposed by the respondents.

2. Since the cause for the delay has been properly and satisfactorily explained and the petitioner has given sufficient reasons for the delay, this Court is inclined to condone the delay.

3. Accordingly, the delay is condoned and these petitions are ordered.

4. Registry is directed to number these appeals, if the papers are otherwise in order and post 'for admission' on 17.12.2024.

5. The appellant is represented by the Executive Chairman of the company. This Court has already appointed an Administrator. The learned counsel appearing for the appellant submitted that the Administrator has authorised the filing of appeal. In order to avoid conflicting interest, it is better to deal with the issue by permitting the appellant to file an application for amendment of cause title, since the company is now represented by the Administrator.

6. Having regard to the serious apprehension of the appellant and the order dated 23.09.2024 ordering enquiry on the independent directors of the appellant company, the appellant is also permitted to implead the Serious Fraud Investigation Officer (SFIO) as a party to the lis, for passing appropriate orders in the interest of the company as such.

7. Since there is an Administrator to take care of the day-to-day affairs of the company, these appeals are to be represented by the Administrator. Therefore, application is invited from the appellant for amendment of cause title. It is now open to the Administrator to file an independent application for appropriate direction from this Court, even before the ensuing Christmas holidays.

(S.S.SUNDAR J.) (P.DHANABAL J.)
12-12-2024

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