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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

REVIEW PETITION NO.18 OF 2025
IN
WRIT PETITION NO. 8577 OF 2024

Elitecon International Limited ...Petitioner

Versus

Union of India & Ors. ...Respondents

Mr Bharat Raichandani, through VC a/w Mr Gaurav Lall i/by
UBR Legal, for the Petitioner.

None for the Respondent.

CORAM M.S. Sonak &
Jitendra Jain, JJ.
DATED: 20 February 2025

PC:-

1. Heard Mr. Raichandani for the Review Petitioner.
2. Mr. Raichandani states that the respondents have been duly served. On behalf of Mr. Mishra, it is pointed out that he is held up before some other Court.
3. Mr. Raichandani submits that review of our order dated 22 July 2024 is sought on the following two grounds: -
 - (a) That reference to Mr. Arvind Kumar in paragraph 1 of our order dated 22 July 2024 was incorrect because Mr. Arvind Kumar is not a director but only

an authorised signatory of the company and moreover, no summons was issued to Mr. Arvind Kumar to attend the office of respondent No.4. He therefore submitted that the reference to Arvind Kumar in paragraph 1 of our order dated 22 July 2024 should be deleted.

(b) That given the undertaking on behalf of the director Mr. Bipin Sharma, who was the only director summoned to appear before respondent No.4, a direction should have been issued for not taking any coercive steps against such director or the company.

4. Regarding the first contention, we are inclined to accept the same because Mr. Raichandani has stated that no summons has ever been issued to Mr. Arvind Kumar. This statement is also reflected in the review petition, which Mr. Arvind Kumar affirms as the authorised signatory of the petitioner.

5. Accordingly, reference to Mr. Arvind Kumar in paragraph 1 of our order dated 22 July 2024 will stand deleted, and the direction and undertaking will apply only to the director, Mr. Bipin Sharma. Paragraph 1 of our order dated 22 July 2024 should be construed accordingly.

6. So far as the second prayer is concerned, the order was delivered by the bench comprising K.R. Shriram, J (as his lordship he then was) and Jitendra Jain, J. The order records

that after the petition was heard for some time and after this Court expressed its disinclination to entertain the petition, necessary undertaking was given on behalf of the director, Mr. Bipin Sharma, attending the office of respondent No.4. At that stage, nothing was pointed out about coercive steps. Therefore, there is no error in not recording any such statement or not issuing any such direction. In fact, our order records that the Court was unwilling to admit the petition.

7. The review petition is therefore allowed only to the above extent of deleting references to Mr. Arvind Kumar. The review petition is disposed of in the above terms without any cost order.

8. All concerned are to act upon the authenticated copy of this order. The review petition is disposed of without any costs order.

(Jitendra Jain, J)

(M.S. Sonak, J)