

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No. 10222/2020
(Arising out of impugned final judgment and order dated 21-08-2020
in COM-ARBA-LD-VC No. 317/2020 passed by the High Court of
Judicature at Bombay)

GATI LIMITED

Petitioner(s)

VERSUS

M.K. AGARWAL & ORS.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.83798/2020-EXEMPTION FROM FILING
C/C OF THE IMPUGNED JUDGMENT and IA No.83799/2020-PERMISSION TO
FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

WITH

SLP(C) No. 10202/2020 (IX)

(With IA No. 83535/2020 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT and IA No. 83534/2020 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES)

Date : 04-09-2020 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE ROHINTON FALI NARIMAN
HON'BLE MR. JUSTICE NAVIN SINHA
HON'BLE MS. JUSTICE INDIRA BANERJEE

For Petitioner(s)

Mr. Shyam Divan, Sr. Adv.
Mr. Zal Andhyarujina, Sr. Adv.
Mr. Apurva Diwanji, Adv.
Ms. Dhanyashree Jadeja, Adv.
Ms. Samiksha Godiyal, Adv.
Ms. Kanika Tandon, Adv.
Mr. Samiron Borkataky, AOR

Dr. A. M. Singhvi, Sr. Adv.
Mr. Somasekhar Sunderesan, Adv.
Ms. Nandini Gore, Adv.
Mr. Kaiwan Kalyaniwalla, Adv.
Mr. Shehzad A. K. Najam-es-sani, Adv.
Mr. Amit Bhandari, Adv.
Ms. Natasha Sahrawat, Adv.
Mr. Arjun Sharma, Adv.
Mr. Jasvir Singh Sabharwal, Adv.
Mr. Nirav D. Barot, Adv.
M/s. Karanjawala & Co., AOR

For Respondent(s)

Mr. K. V. Vishwanathan, Sr. Adv.
Mr. Shikhil Suri, Adv.
Mr. Shiv Kumar Suri, AOR

Ms. Shilpa Saini, Adv.
Ms. Nikita Thapar, Adv.
Ms. Vinishma Kaul, Adv.
Ms. Madhu Suri, Adv.

Mr. Mukul Rohatgi, Sr. Adv.
Mr. Vineet Naik, Sr. Adv.
Mr. Mahesh Agarwal, Adv.
Mr. Ankur Saigal, Adv.
Ms. Anaisha Zachariah, Adv.
Ms. Sonam Shethia, Adv.
Mr. Yojit Mehra, Adv.
Ms. Tanvi Manchanda, Adv.
Mr. E. C. Agrawala, AOR

UPON hearing the counsel the Court made the following
O R D E R

Having heard all the learned counsel appearing for the parties, we are of the view that the High Court's interim order be substituted as follows:

That a Board meeting may be called within next four days in order to consider all the agenda items including agenda item No. 6. Thereafter, AGM/EGM, that is to be held, may be held after giving the requisite statutory notice. Resolutions that are passed at the AGM/EGM *qua* the re-election or removal of Mr. M. K. Agarwal as Director/Managing Director respectively will not be given effect and will be subject to further orders that may be passed in the pending proceedings in the arbitration appeal in Bombay.

The special leave petitions stand disposed of.

Pending applications stand disposed of.

(NIDHI AHUJA)
AR-cum-PS

(NISHA TRIPATHI)
BRANCH OFFICER