

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.10208 OF 2017
ARISING OUT OF SLP(C) NO. 20159 OF 2014

RAJIV KANT LAXMAN

Appellant(s)

VERSUS

BOBBY ELECTRONICS PVT LTD & ORS.

Respondent(s)

O R D E R

Leave granted.

The learned counsel for the appellant has alleged that the respondents illegally and unauthorisedly increased the share capital of the 1st respondent-company and diluted the shareholding of the appellant from 50% to 8% and increased that of the respondent No. 2 from 1% to 92%. It is contended that it could not have been done without notice to the appellant.

On the facts and circumstances of the case, we set aside the order of the High Court and direct it to decide the matter afresh, as expeditiously as possible, after hearing both the parties by passing a reasoned order duly considering the aforesaid aspects. All other submissions are also kept open.

The civil appeal is, accordingly, allowed.

.....J
(ARUN MISHRA)

.....J
(MOHAN M. SHANTANAGODAR)

NEW DELHI;
AUGUST 4, 2017

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NEW DELHI;
AUGUST 4, 2017

ITEM NO.6

COURT NO.10

SECTION IX

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(s).20159/2014

(Arising out of impugned final judgment and order dated 15-04-2014 in CA No. 4/2014 15-04-2014 in CP No. 29/2012 passed by the High Court Of Bombay)

RAJIV KANT LAXMAN

Petitioner(s)

VERSUS

BOBBY ELECTRONICS PVT LTD

Respondent(s)

(IA No.63343/2017-PERMISSION TO FILE ADDITIONAL DOCUMENTS)

Date : 04-08-2017 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ARUN MISHRA

HON'BLE MR. JUSTICE MOHAN M. SHANTANAGOUDAR

For Petitioner(s) Mr. C.A. Sundaram, Sr. Adv.
Mr. Dhruv Mehta, Sr. Adv.
Mr. Adarsh Upadhyay, AOR
Mr. Vikas Chaudhary, Adv.
Mr. Amish Aggarwal, Adv.
Mr. Amit Singh, Adv.

For Respondent(s) Mr. K. Datta, Adv.
Mr. Pradeep, Adv.
Ms. Prachi Johri, Adv.
Mr. Vinodh Kanna B., AOR

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

The civil appeal is allowed in terms of the signed
order.

(B. PARVATHI)
COURT MASTER (SH)

(TAPAN KUMAR CHAKRABORTY)
BRANCH OFFICER

(Signed order is placed on the file)