

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION
CIVIL APPEAL NO. 11136 OF 2017

MASCHINEN UMWELTTECHNIK TRANSPORTANLAGEN
GESELLSCHAFT GMBH

Appellant(s)

VERSUS

OSWAL F M HAMMERLE TEXTILES LTD. & ORS.

Respondent(s)

O R D E R

- 1) Heard the learned Senior Counsel/Counsel appearing for the parties.
- 2) The appellant filed a Clarification Application dated 26.02.2016 before the Company Law Board, Principal Bench, New Delhi to clarify the penultimate paragraphs of the judgment and final order dated 07/13.08.2015. In para 104, the order itself speaks of the Oswal Group. However, learned counsel for the respondent has objection to this amorphous phrase and therefore, what we propose to do is to add M/s Vardhman Polytex Limited to OFMHT in the said order.
- 3) Since we are setting aside the impugned order dated 31.03.2017 passed by the National Company Law Appellate Tribunal, New Delhi only today, it will be open for the added party i.e. M/s Vardhman Polytex Limited to avail of an appeal before the High Court against the said order dated 07/13.08.2015, which appeal, if filed within two weeks from today, will be disposed of on its merits.

4) The appeal is disposed of accordingly.

..... J.
(ROHINTON FALI NARIMAN)

..... J.
(SANJAY KISHAN KAUL)

New Delhi;
October 13, 2017.

ITEM NO.17

COURT NO.10

SECTION XVII

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

Civil Appeal No(s). 11136/2017

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VERSUS

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(FOR ADMISSION and I.R. and IA No.75386/2017-EX-PARTE STAY and IA No.75385/2017-CONDONATION OF DELAY IN FILING APPEAL and IA No.75387/2017-PERMISSION TO FILE ADDITIONAL DOCUMENTS)

Date : 13-10-2017 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ROHINTON FALI NARIMAN
HON'BLE MR. JUSTICE SANJAY KISHAN KAUL

For Appellant(s) Mr. Amit Bansal, Adv.
 Mr. Mohit Paul, AOR
 Mr. Puneeth K.G., Adv.
 Ms. Manisha Singh, Adv.
 Mr. Anugrah Niraj Ekka, Adv.

For Respondent(s) Mr. U.K. Chaudhary, Sr. Adv.
 Ms. Avanti Tewari, Adv.
 Mr. Himanshu Chaudhary, Adv.
 Ms. Srishti Singh, AOR

Mr. Sanjiv Sen, Sr. Adv.

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

The appeal is disposed of in terms of the signed order.

(R. NATARAJAN)
COURT MASTER

(SAROJ KUMARI GAUR)
COURT MASTER

(Signed order is placed on the file)