

ITEM NO.40

COURT NO.5

SECTION XVI

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). 2405/2017

(Arising out of impugned final judgment and order dated 27-07-2016
in APO No. 229/2015 passed by the High Court At Calcutta)

M/S. METRO INFRASTRUCTURE DEVELOPMENT LTD.

Petitioner(s)

VERSUS

BTL EPC LTD. (FORMERLY KNOWN AS M/S. BENGAL TOOLS
LTD.)

Respondent(s)

Date : 15-04-2019 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ROHINTON FALI NARIMAN
HON'BLE MR. JUSTICE VINEET SARAN

For Petitioner(s) Mr. Krishnaraj Thakker, Adv.
Mr. Prasenjit Sarkar, Adv.
Mr. Rahul Gupta, AOR

For Respondent(s) Mr. Manish Goswami, Adv.
Mr. Rameshwar Prasad Goyal, AOR

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

The order dated 31.03.2015 passed by the Company Law Board
states:

"... .. It is on record that the revalidated share
transfer deeds along with original share
certificates were deposited with the Respondent
Company on 08.10.2012 and hence, the Respondent
Company ought to have transferred the shares in
the name of the Petitioner. Under these

circumstances, I am of the considered opinion that the Respondent Company is required to ensure proper compliance of the directions of this Hon'ble Board as given vide Order dated 10.08.2010 as the due compliance of Section 108 of the Companies Act, 1956 has been done by the Petitioner. Therefore, I hereby direct the Respondent Company to transfer the 90 shares in the name of the Petitioner Company based on the revalidated share transfer deeds along with original share certificates deposited with the Respondent Company on 08.10.2012, within one month hereof positively."

This order must be carried out in letter and spirit, if it has not so been carried out already, within a period of two months from today.

We leave the question of law open.

The Special Leave Petition stands disposed of accordingly.

Pending applications, if any, also stand disposed of.

(R. NATARAJAN)
COURT MASTER (SH)

(RENU DIWAN)
ASSISTANT REGISTRAR