

IN THE NATIONAL COMPANY LAW TRIBUNAL
AHMEDABAD
COURT - 2

ITEM No.254 - **CP/10(AHM)2024**
With
ITEM No.255 - IA/28(AHM)2024

Proceedings under Section 241 & 242 of Co.Act,2013

IN THE MATTER OF:

Anand Shyamsunder Sangai & Another
V/s
Phoenix Industries Limited & Others

.....**Applicant**

.....**Respondent**

Order delivered on: 25/04/2024

Coram:

Mrs. Chitra Hankare, Hon'ble Member(J)
Dr. Velamur G Venkata Chalapathy, Hon'ble Member(T)

PRESENT:

For the Applicant : Mr. Saurabh Soparkar, Sr. Adv. a.w Mr. Rasesh Sanjanwala, Sr. Adv., Mr. Keyur Gandhi, Mr. Peshwan Jehangir, Adv. Adv. Mr. Raheel Patel, Adv. Mr. Nagesh, Adv. Deeshank Doshi, Adv. Aalay Shah, Adv.
For the R-1 to 4 : Mr. Navin Pahwa, Sr. Adv. a.w. Adv. Mr. Arjun Sheth, Adv., Mr. Rajiv Chawla, Adv. & Ms. Rhea Sevak, Adv. for R-1 to 4
For R-5 & 6 : Mr. Manish Bhatt, Sr. Adv. a.w Mr. Rohan Lavkumar, Adv. & Ms. Anushree Soni, Adv.: and Mr. Aaditya Dave, Adv.
For R 15 : Mr. Kishan Patel, Adv. for Mr. Maulik Nanavati, Adv.

ORDER

CP/10(AHM)2024 & IA/28(AHM)2024

Heard Ld. Sr Counsel for the applicant and respondents. The parties are ready to go under mediation process. Both parties submitted that they will discuss amongst them and suggest suitable name of mediator today itself. If the name is suggested by them or not agreeable to the name suggested by other parties, this Tribunal will appoint a mediator within one-week. Respondent no.4 i.e MD of the Company personally appeared. When some information was asked, he assured that motion for removal of the petitioner is not moved. Learned Senior Counsel for the applicant prayed for interim relief till mediation process is over so as to protect their interest. Prima-facie case is made out by the petitioner for grant of interim relief to secure his position, hence, respondent nos. 1 to 6 are temporarily restrained from taking any coercive steps against the petitioner and maintain status-quo with respect to their position, right and privilege till the report of mediator is received. At the end of the

day, Counsels for Respondent no.1 to 4 suggested four names of mediator. However, no confirmation is received from the petitioner.

List for further consideration on 27.06.2024.

-Sd-

DR. V. G. VENKATA CHALAPATHY
MEMBER (TECHNICAL)

-Sd-

CHITRA HANKARE
MEMBER (JUDICIAL)