

NATIONAL COMPANY LAW TRIBUNAL
COURT ROOM NO. 1,
MUMBAI BENCH

Item No. 40

CA 85/2021 CA 425/2021 CA 175/2022 CA 301/2022 In CP/4313(MB)2019

CORAM:

SH. PRABHAT KUMAR JUSTICE VIRENDRASINGH BISHT (Retd.)
HON'BLE MEMBER (TECHNICAL) HON'BLE MEMBER (JUDICIAL)

ORDER SHEET OF THE HEARING ON 18.04.2024

NAME OF THE PARTIES: **MR SHRIPAD MACHHINDRA SALUNKE**
V/s ELINA SOLUTIONS PRIVATE
LIMITED AND OTHERS

Section 213 Sec. 241(1) Sec. 242(4) of the Companies Act, 2013

ORDER

1. Mr. Mahesh Athavale, CS a/w Mr. Avinash Khanolkar, Advocate a/w Ms. Surekha Yadav, Advocate appeared for the Petitioner.
2. Mr. Pulkit Sharma, Advocate a/w Ms. Prachi Wazalwar, Advocate Ms. Arusha Bapat, Ms. Sheba Abraham, Advocate appeared for the Respondent no. 2.

CA No. 175/2022 -

1. Learned Counsel for the Applicant informs that Petitioner has since deceased and this application was filed seeking status quo in the composition of the Board of Directors.
2. In view of demise of the Director, this CA No. 175/2022 becomes infructuous.
3. Accordingly, **CA No. 175/2022** becomes **infructuous** and **disposed of**.

CA No. 301/2022 -

1. Learned Counsel for the Applicant submits that this application was filed alleging that Petitioner has been shared useful information of the Company by the Respondent therein. However, Original Petitioner verbally assured this Bench that no such information has been used.
2. However, in view of the death of the Petitioner, the Counsel for Applicant submits that nothing survives in this application also.
3. Accordingly, **CA No. 301/2022** is also **disposed of**.

Company Petition

1. Learned Counsel for the deceased Petitioner informs this Bench that they may seek instructions from their client i.e. legal heir of the deceased Petitioner, if an offer for purchase of their shareholding is made by the Respondent.
2. Learned Counsel for the Respondent also informs that their client is not inclined to give any offer because they are also willing to exit from the Company.
3. Heard Counsel appearing for both sides and **Reserved for Order**.

CA No. 425/2021 –

1. Learned Counsel for the Contemnor informs that hearing took place on 20.07.2021 and she is ready to file affidavit to that effect.
2. Thereafter, Applicant shall be at liberty to place on record reply or counter affidavit.
3. List this CA on **01.05.2024** for hearing.

CA No. 85/2021 –

Heard Counsel appearing for both sides and **Reserved for Order**.

Sd/-
PRABHAT KUMAR
MEMBER (TECHNICAL)

Sd/-
JUSTICE VIRENDRASINGH BISHT
MEMBER (JUDICIAL)