

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

Company Appeal (AT) No. 233 of 2026

IN THE MATTER OF:

Prestolite of India Ltd. & Ors.

...Appellants

Versus

Parveen Kaur Sahni & Ors.

...Respondents

Present:

**For Appellants : Mr. Turab Ali Kazmi, Mr. Suchakshu, Ms. Hardika,
Ms. Ambika, Mr. Tanay Dubey, Mr. Abdul Rahman,
Advocates.**

For Respondents : Mr. Lalit Gupta, Advocate for R-1 & 2.

O R D E R
(Hybrid Mode)

22.06.2026: Heard Ld. Counsel for the appellant, Ld. Counsel for Respondents No. 1 & 2 and perused the record.

2. At the outset Ld. Counsel for the appellant informs that the proposed AGM of the Company which was scheduled to be held today at 11.00 A.M. at the place directed by the Ld. NCLT i.e. W-134, Greater Kailash, Part-I, New Delhi- 110048 has been cancelled.

3. Various submissions have been raised by Ld. Counsel for the Appellant with regard to the feasibility of the venue or holding of the Annual General Meetings of the company at the registered office of the company.

4. Ld. Counsel for the Respondents No. 1 & 2 has also submitted that in past many meetings have already been held on the venue mentioned in the

paragraph 10 of the impugned order, which is the head office of the company.

5. However, Ld. Counsel for the appellant seriously objects that the venue mentioned in paragraph No. 10 of the impugned order is not the Head office of the company.

6. Be that as it may, we notice that the center of the controversy in this appeal is the venue of the AGM of the company which was earlier scheduled to be held on 22nd day of June' 2026 at 11:00 AM at The Central View Hotel and Banquets, SCO 64/65, Huda Market, Sector 12, Faridabad, Haryana, 121007. This fact is evident from the copy of the notice of the AGM which has been placed at Page No. 67 of the appeal paper book.

7. We further notice that Ld. NCLT by passing the impugned order on an application moved by the Respondents No.1 & 2 has passed the impugned order and with regard to the AGM scheduled to be held on 22.06.2026, following order was passed.:

“10. It is made clear that till the next date of hearing, the Annual General Meeting can continue as proposed. However, it is directed to be held at the address W-134 Greater Kailash Part-1, New Delhi and it shall be video-graphed to ensure participation of the Applicant. It is further directed that the action on the decisions taken in the meeting shall not be implemented till the next date of hearing.”

8. We further notice that the application filed by the Respondents No.1 & 2 was kept pending and the date of further hearing was fixed by Ld. NCLT as 17.07.2026.

9. We also notice that in the appeal filed by the appellant following reliefs are claimed:

“(a) Allow the present Appeal; AND

(b) Set aside and vacate the directions contained in the paragraph no. 10 of the Impugned Order dated 05 June 2026, passed by the Hon'ble National Company Law Tribunal, Chandigarh in Company Application No. 87 of 2026 in Company Petition No. 95 of 2024; AND

(c) Pass an order permitting Appellant No.1 to convene and hold its Annual General Meeting in accordance with the notice dated 21 May 2026 at Central View Hotel & Banquets, SCO 64/65, Huda Market, Sector 12, Faridabad, Haryana- 121007 on 22 June 2026; AND/OR

(d) Pass an order, in alternate, to postpone the Annual General Meeting of the Appellant No. 1 ; AND

(e) Pass such other order(s) as this Hon'ble Tribunal may deem fit and proper in the interest of justice.”

10. Keeping in view the impugned order passed by the Ld. NCLT and also the fact that the application moved by Respondents No.1 & 2 for various prayers is still pending before the Ld. NCLT and further date in the matter has been fixed as 17.07.2026 as also the reliefs claimed by the appellant in this appeal, which in our considered opinion are only pertaining to the holding of the AGM of the company today at 11.00 A.M. at the venue directed by the Ld. NCLT which according to the Ld. Counsel for the appellant has

already been cancelled, the appeal as well as the reliefs claimed by the appellant appears to have become infructuous.

11. We also notice that the submissions made by Ld. Counsel for the appellant pertaining to cancellation of the AGM scheduled to be held today at 11.00 A.M. has been disputed by Ld. Counsel appearing for the Respondents No.1 & 2 by submitting that infact the AGM of the company as directed by Ld. NCLT in its impugned order has taken place at the same venue.

12. Though, contradictory claims are being made by the appellant as well as the Respondents No.1 & 2 with regard to the holding of the AGM of the company today at 11.00 A.M. but since this appeal has been preferred by the appellant and the Ld. Counsel for the appellant in categorical terms has submitted that the proposed meeting scheduled to be held today at W-134, Greater Kailash, Part-I, New Delhi- 110048 has been cancelled and the appeal has been preferred by the appellant with regard to the change of venue of the same AGM, we are of the considered opinion that keeping in view the admission made by the Ld. Counsel for the appellant pertaining to the cancellation of AGM scheduled today, the appeal does not survive and has become infructuous and is **dismissed** as such.

[Justice Mohd. Faiz Alam Khan]
Member (Judicial)

[Mr. Arun Baroka]
Member (Technical)

SA/mr