

(2008) 12 BOM CK 0118

In the Bombay High Court

Case No : Company Petitions No. 9 and 10 of 2006 and Company Petition No. 9 of 2006

Sesa Industries, Panaji, Goa

APPELLANT

Vs

In.Re
 Sesa Goa Ltd. Panaji, Goa Vs In.Re

RESPONDENT

Date of Decision : 18-12-2008

Acts Referred:

Citation : (2008) 12 BOM CK 0118

Hon'ble Judges : N.A. Britto, J

Bench : Single Bench

Advocate : R.G. Ramani, for the Appellant; C.A. Ferreira, Asst. Solicitor General for Central Government and Mr. V.A. Lawande, Advocate for the Objector, for the Respondent

Final Decision : Allowed

Judgement

N.A. Britto, J.—Shri Ramani is present on behalf of the petitioners. Shri C.A. Ferreira, learned Assistant Solicitor General is present on behalf of the Central Government and Shri V.A. Lawande is present on behalf of the Objector. Shri Ferreira, upon instructions, states that page 9 of Sesa Goa's report is not available with the Regional Director, in the original report, and inquiry is being made with the Inspector who had prepared the said report and who is presently posted in Calcutta. It is but obvious that production of page 9 will take some time, but this Court need not wait for the same. Page 15 submitted on 18/11/2008 be placed at the appropriate page of the paper book. The Regional Director is at liberty to produce page 9 of Sesa Goa's report as soon as it is available.

2. Judgment pronounced, dismissing the objections and allowing the petitions. Shri Ramani on behalf of the petitioners, submits that the petitioners be dispensed with from filing of drawn up order and instead be allowed to file with the Registrar of Company a certified copy of the order of this court passed today along with authenticated copy of the Scheme for Amalgamation. Request granted.

3. Costs of each petition of Rs. 10,000/-to be paid by the petitioners to the Central Government and to the Registrar of Companies, each.

4. Shri Lawande, the learned Counsel on behalf of the Objector prays for stay of operation of the judgment/order passed today dismissing the objections and granting the petitions. Shri Ramani on behalf of the petitioners objects. Considering the facts and circumstances of the case and including the time taken for disposal of the petitions, in my view, this is not a fit case to stay the operation of the judgment/order. Request rejected. Authenticated copy be issued to the Objector on payment of necessary charges.