

ITEM NO.13

COURT NO.1

SECTION XVII

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

CONMT.PET.(C) No. 1195/2023 in C.A. No. 6108/2023

ORBIT ELECTRICALS PRIVATE LIMITED

Petitioner(s)

VERSUS

DEEPAK KISHAN CHHABRIA AND ANR & ANR.

Respondent(s)

(FOR ADMISSION)

Date : 13-10-2023 This petition was called on for hearing today.

CORAM : HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE J.B. PARDIWALA
HON'BLE MR. JUSTICE MANOJ MISRA

For Petitioner(s) Mr. Mukul Rohatgi, Sr. Adv.
 Mr. Neeraj Kishan Kaul, Sr. Adv.
 Mr. Abhinav Agrawal, AOR
 Mr. Shikhil Suri, Adv.

For Respondent(s) Mr. Shyam Divan, Sr. Adv.
 Mr. Ramji Srinivasan, Sr. Adv.
 Mr. Amit Jajoo, Adv.
 Mr. Malak Mnaish Bhatt, AOR
 Ms. Sushmita Gandhi, Adv.
 Ms. Vatsala Pant, Adv.
 Mr. Mandeep Singh, Adv.

Dr. A.M. Singhvi, Sr. Adv.
 Mr. E.C. Agrawala, Adv.
 Mr. Mahesh Agrawal, Adv.

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

1 The order passed by this Court on 20 September 2023 sets aside the order

of the NCLAT to the extent that it directed the restoration of the status quo ante at a stage when the arguments were concluded and the matter was reserved for judgment. However, this Court observed that all actions which may be taken would abide by the final result of the proceedings before NCLAT.

- 2 We are *prima facie* of the view that the mandate of the order cannot be defeated by deferring the declaration of the result till a judgment is rendered by NCLAT.
- 3 We accordingly issue notice returnable on 30 October 2023.
- 4 Subject to such further directions as may be issued by this Court, personal presence of the contemnor(s) is presently dispensed with.
- 5 The scrutinizer shall, in compliance with the order of this Court proceed to declare the result of the Annual General Meeting which was held on 29 September 2023 forthwith.
- 6 The NCLAT shall proceed to declare its judgment in the pending appeal after it is duly apprised of the fact that the result of the Annual General Meeting has been declared.

(GULSHAN KUMAR ARORA)
AR-CUM-PS

(SAROJ KUMARI GAUR)
ASSISTANT REGISTRAR