

**IN THE COURT OF LXXXIII ADDL. CITY CIVIL & SESSIONS JUDGE,
COMMERCIAL COURT, BENGALURU (CCH-84)**

**Present: Sri S. Sudindranath, LL.M., M.B.L.,
LXXXIII ADDL. CITY CIVIL & SESSIONS JUDGE
BENGALURU.**

COM.OS.No.1432/2022

Dated on this 10th day of April 2024

Plaintiffs : Mrs. Sreelakshmi Kottu & others
//Versus//
Defendants : M/s. Elena Geo Systems Pvt. Ltd.,
and others.

I S S U E S

- 1) Whether the plaintiffs prove that, under the share purchase agreement in lieu of investment by the plaintiff No. 2, it was agreed by Defendants that, plaintiff No. 2 or his nominee will be the director of defendant No. 1 company and accordingly, the said share purchase agreement has been acted upon and plaintiff No. 2 has invested in defendant No. 1 company and therefore, the removal of plaintiff No. 2 as director of the company is illegal and in breach of agreement for shares acquisition dated 1-06-2019?
- 2) Whether the plaintiffs prove that plaintiff No. 1 has invested amounts by way of OFCDs and defendants have caused breach of OFCD subscription agreement dated 18-11-2021 and hence the defendants are liable to return the investment along with coupon rate of 0.01% and interest of 12% from date of investment till realization?

- 3) Whether the defendant No. 1 and 2 prove that plaintiff No. 2 has withdrawn Rs. 20,00,000 under the guise of professional fee and hence he is liable to repay the same?
- 4) Whether the plaintiffs are entitled to the reliefs sought in the plaint?
- 5) Whether the defendant No. 1 and 2 are entitled to the counterclaim sought for?
- 6) What order or decree?

**LXXXIII ADDL.CITY CIVIL AND SESSIONS JUDGE,
COMMERCIAL COURT: BENGALURU.**