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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CO.A(SB)-22/2015 & CO.APPL. 974/2015**

ORION INFRASTRUCTURE LIMITEDPetitioner

Through: Mr. Kartik Pandey, Advocate.

versus

YASHDEEP TREXIM PRIVATE LIMITED
& ANR.

.....Respondents

Through: Mr. Gaurav Kejriwal, Mr. Anmoldeep
Singh & Mr. Happy Chaubey,
Advocates.

CORAM:

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER
06.03.2025

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1. This matter has been received on transfer.
2. This is an Appeal under Section 10(F) of the Companies Act, 1956 [hereinafter referred to as the "Companies Act"] seeking to challenge an order dated 16.12.2014 [hereinafter referred to as the "Impugned Order"] passed by the erstwhile Company Law Board. By the Impugned Order, an Application of the Petitioner assailing the maintainability of a Company Petition filed under Section 399 of the Companies Act has been dismissed.
3. The Impugned Order reflects that although admittedly the Petitioner before the Company Law Board had a 9% shareholding, the Company Petition was filed on the basis of the fact that the Petitioners were 2 of the 14 total shareholders in the Company. Thus, the Company Law Board held that



the Petitioners were entitled to initiate proceedings under Section 397 and 398 of the Companies Act.

4. A request for adjournment is made on behalf of the Petitioner. It is stated that the arguing counsel is not available today.

5. At his request, list on 25.03.2025.

6. In the meantime, the Petitioner shall file written synopsis, not exceeding three pages each, at least one week before the next date of hearing, along with the compilation of judgments, if any, it wishes to rely upon.

6.1 All judgments sought to be relied upon shall be filed with an index which also sets out the relevant paragraph numbers and the proposition of law that it sets forth.

7. The authorized representative of the Petitioner shall remain present on the next date of hearing.

TARA VITASTA GANJU, J

MARCH 6, 2025/ ha/g.joshi

[Click here to check corrigendum, if any](#)