

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/LETTERS PATENT APPEAL NO. 435 of 2014****In R/SPECIAL CIVIL APPLICATION/2019/2011**

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INDO BRINE INDUSTRIES LIMITED**Versus****REGIONAL DIRECTOR - MINISTRY OF COMPANY AFFAIRS & ORS.**

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Appearance:**MR PRATIK Y JASANI(5325) for the Appellant(s) No. 1****M R BHATT & CO.(5953) for the Respondent(s) No. 4****MR CHAITANYA S JOSHI(5927) for the Respondent(s) No. 1,2,3****MR HARSHADRAY A DAVE(3461) for the Respondent(s) No. 5**

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**CORAM: HONOURABLE THE CHIEF JUSTICE MRS. JUSTICE
SUNITA AGARWAL****and****HONOURABLE MR. JUSTICE D.N. RAY****Date : 05/08/2026****ORAL ORDER****(PER : HONOURABLE THE CHIEF JUSTICE MRS. JUSTICE SUNITA
AGARWAL)**

1. This is a wholly misconceived appeal filed by the complainant against the order passed by the learned Single Judge wherein it is categorically observed as under:-

“Thus, communication addressed by the Regional Director to the Company on 22.02.2012 and another communication and direction issued by the Joint Director (Inspection) to Registrar of Companies, State of Gujarat, Ahmedabad with regard to the action to be initiated pertaining to the compliance of the prayer clause of this petition, sufficient compliance is made by the authorities and their officers. Pursuant to the directions issued by this Court and when it is stated on oath that when procedure pertaining to the action to be

taken under Section 628 of the Act is in progress, and under consideration, this Court would be loathe in exercising powers under Articles 226 and 227 of the Constitution of India, by either issuing further directions or monitoring the duties to be performed by the Regional Director, the Registrar of Companies, in accordance with law."

2. Taking note of the observations made in the judgment impugned, we do not find any reason to maintain the present appeal. The appeal is, accordingly, dismissed.

3. However, it goes without saying that the action initiated against the respondent no. 5 – Company is to be brought to its logical end, if not already concluded.

(SUNITA AGARWAL, CJ)

(D.N.RAY,J)

VARSHA DESAI