

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORDINARY ORIGINAL CIVIL JURISDICTION**

**COMPANY APPEAL NO. 3 OF 2018  
IN  
CLB COMPANY PETITION NO. 78 OF 2007**

Mr. Pratik B. Mehta & Ors.

... **Petitioners**

**V/s.**

Uniform Offset Private Limited & Ors.

... **Respondents**

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Mr. Chetan Kapadia a/w Mr. Yuvraj Singh i/b M/s. Desai and Diwanji for the  
Petitioners.

None for the Respondents.

**CORAM : K.R. SHRIRAM, J.  
DATE : 20<sup>th</sup> AUGUST, 2018**

**P.C.:**

. This Appeal has been filed impugning an order pronounced on 07.12.2015 by the Company Law Board. Appellants were original petitioners and had filed the petition seeking various reliefs, one of which was to transfer and register 2385 shares in Respondent No.1 Company in favour of Petitioner No.2, hold the resolution passed in meetings held on 04.12.2006, 11.12.2006 and EOGM held on 11.12.2006 as null and void etc.

2 Respondents though served were not represented before the Company Law Board. The Company Law Board was pleased to dismiss the petition by suggesting that it will be in the interest of Appellants as well as Respondents, if

the real value of the building and land belonging to Company are assessed and sold and the sale proceeds can be distributed based in the proportion of shareholding held by Appellants and Respondents.

3 Appellants are impugning this portion of the order inasmuch as Appellants say why should the assets be sold. Instead Appellants suggest the Company be valued and either Appellants buy all the shares of Respondent Nos. 2 to 11 or Respondent Nos. 2 to 11 can buy the shares of Appellants. Prima facie this suggestion does not appear to be unreasonable.

4 Respondents are not present and Mr. Kapadia states that they have been served.

5 The Registry to give notice to Respondent Nos. 2 to 11 that if on the next date Respondent Nos. 2 to 11 are not present in Court to oppose the Appeal, ex-parte orders may be passed which may also include granting the reliefs sought in the original petition.

6 Mr. Kapadia states that Appellant's Advocate will forward the notices to be issued by the Registry by DHL Courier to Respondent Nos. 2 to 11 at the cost of Appellant and file Affidavit of service within two weeks.

7 Stand over to 17.09.2018.

**(K.R. SHRIRAM, J.)**