

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

COMPANY APPEAL NO. 74 OF 2014

Vipul Prabhatkumar Maheshwari and others ... Appellants

Versus

Bi-chem (India) Pvt. Ltd. and others ... Respondents

WITH

CIVIL APPLICATION NO. 56 OF 2014

IN

COMPANY APPEAL NO. 74 OF 2014

WITH

COMPANY APPEAL NO. 75 OF 2014

WITH

CIVIL APPLICATION NO. 57 OF 2014

IN

COMPANY APPEAL NO. 75 OF 2014

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Mr. Rohaan Cama alongwith Mr. Aman Sadiwala, Mr. Prakhar Parekh and Mr. Atharva Patvardhan instructed by Rashmikanth and Partners, Advocate for the Appellants.

Ms. Gauri Joshi instructed by Ganesh & Co., Advocate for the Respondents No.2 to 4.

Mr. Shanay Shah alongwith Mr. Akshay Udeshi and Mr. Akshat Tiwari instructed by AV Legal, Advocate for the Respondents No.5 and 6.

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CORAM : ABHAY AHUJA, J.

DATE : 27 NOVEMBER 2025

PC. :

1. When the matter is called out, both the learned Counsel submit that the Company Applications in both the Appeals can be

disposed of in terms of the stay granted by order dated 23rd November 2016.

2. The Company Applications accordingly stand disposed in terms of the order dated 23rd November 2016.

3. Both the learned Counsel further submit that both the Section 10F Appeals are ripe for hearing.

4. Both the learned Counsel appearing in the matter submit that the following two questions of law be framed for consideration in both the Appeals :

(a) Whether the power of the Hon'ble Company Law Board to permit amendment of pleadings filed before it is governed by Regulation 46 of the Company Law Board Regulations 1991 ?

(b) Whether the proviso to Order VI Rule 17 of the Code of Civil Procedure, 1908 applies to proceedings before the Company Law Board ?

5. List for hearing of the Appeals on the aforesaid questions of law on **8th January 2026**.

(ABHAY AHUJA, J.)