

ITEM NO.47

COURT NO.2

SECTION IVA

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

I.A. NO.11 OF 2011 IN  
Petition(s) for Special Leave to Appeal (Civil) No(s).9643/2009

(From the judgement and order dated 17/03/2009 in MCA No.1/2005 of  
The HIGH COURT OF M.P AT GWALIOR)

M/S.J.P.SRIVASTAVA & SONS PVT.LTD.& ORS. Petitioner(s)

VERSUS

VIKRAM SRIVASTAVA & ORS. Respondent(s)

(With appln(s) for directions and office report)

WITH I.A. NO.6 IN S.L.P. (C) NO.28768/2009  
(With appln.(s) for directions and office report)

Date: 09/01/2012 These Petitions were called on for hearing today.

CORAM: HON'BLE MR. JUSTICE ALTAMAS KABIR  
HON'BLE MR. JUSTICE SURINDER SINGH NIJJAR

For Petitioner(s) Ms. Tasneem Ahmadi, Adv.  
Mr. Sudhir Kumar Gupta, AOR  
Mr. Manish Gupta, Adv.  
Ms. Deepa Sharma, Adv.

In SLP 28768/09 Ms. Bina Gupta, AOR

For Respondent(s) Mr. Ranjeet Kumar, Sr. Adv.  
Mr. Gopal Jain, Adv.  
Ms. Bina Gupta, AOR  
Ms. Radhika Mathur, Adv.

Mr. R.N. Keshwani, AOR

M/s. Karanjawala & Co.

In SLP 28768/09 Mr. Sudhir Kumar Gupta, AOR  
SLP 9643/2009

2

SLP 9643/2009

3

UPON hearing counsel the Court made the following  
O R D E R

I.A. No.11 of 2011, has been filed on behalf of the petitioner, inter alia, for a direction upon the Registrar of Companies, to restore Sir J.P. Srivastava & Sons (Madhya Bharat) Pvt. Ltd. to its records, since it had been struck off by the Registrar of Companies. A prayer has also been made for appointment of a Receiver for the land of the Gwalior Agricultural Company, which was allowed to be retained by the order of the Additional Commissioner.

Having heard Ms. Tasneem Ahmadi, learned counsel appearing in support of the application, and Mr. Ranjeet Kumar, learned senior counsel appearing for the respondents, we are of the view that the two special leave petitions, which have been filed on behalf of M/s. J.P. Srivastava & Sons (Rampur) Pvt. Ltd. and Others and Vikram Srivastava and Another, be taken up together and be disposed of finally. For the said purpose, let these two matters be listed for final disposal on 23rd February, 2012, at the top of the list.

As far as I.A. No.11 of 2011, is concerned, we make it clear that the striking off of Sir J.P. Srivastava & Sons (Madhya Bharat) Pvt. Ltd., will not in any way affect the consent terms, which had been arrived at between the parties with regard to the number of shares which had been held by them.

I.A. No.6 of 2011, has been filed on behalf of Vikram Srivastava and Another, for stay of another Company SLP 9643/2009

4

Petition, being No.46 of 2000, filed by the respondents herein, M/s. J.P. Srivastava & Sons (Rampur) Pvt. Ltd. and Others. The same being a different proceeding, the applicants in the said interlocutory application will be at liberty to file a separate special leave petition in that regard.

I.A. Nos.6 and 11 of 2011, are disposed of accordingly.

(Chetan Kumar)  
Court Master

(Juginder Kaur)  
Assistant Registrar