

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CAPP No. 41 of 2014 and
CMA No. 126 of 2014 (O&M)**

M/s Aar Kay Chemicals Private Limited and others .. Appellants

versus

M/s A. P. Refinery Private Limited and others .. Respondents

Coram: Hon'ble Mr. Justice Rajesh Bindal

Present: Ms. Munisha Gandhi, Senior Advocate with
Mr. Gourav Goel, Advocate, for the appellants.

Rajesh Bindal, J.

The appellants are before this Court aggrieved against the order dated 26.8.2014, passed by the Company Law Board, whereby CP No. 146/ND of 2012 filed by the appellants inter-alia alleging, oppression and mismanagement in M/s A. P. Refinery Private Limited and CP No. 84/ND of 2013 filed by the respondents herein titled as Arun Kumar Goyal and others vs M/s Aar Kay Chemicals Private Limited and others, where issues raised are regarding appointment of Additional Directors, and transfer of some shares.

The grievance of the appellants is that pleadings in CP No. 146 of 2012 filed by the appellants are complete, whereas in CP No. 84 of 2013, which was filed by respondent no. 1- company, as a counter-blast, pleadings are yet to be completed, as a result of which hearing of the petition filed by the appellants is being delayed. As the issues are not common, both the petitions should have been taken separately.

After hearing learned counsel for the appellants, I do not find any error in the order passed by the Company Law Board directing hearing of both the petitions simultaneously as some of the parties are common, though the issues may not be entirely common. However, considering the

grievance raised by the appellants, in my opinion, the same can be redressed with a direction to the Company Law Board to expedite completion of pleadings in CP No. 84 of 2013 filed by respondent no. 1- company against the appellants so that hearing in the petition filed by the appellants is not delayed unnecessarily.

Disposed of.

3.11.2014
vs

(Rajesh Bindal)
Judge