

**NATIONAL COMPANY LAW APPELLATE TRIBUNAL**  
**NEW DELHI**

**Company Appeal (AT) No. 166 of 2018**

**IN THE MATTER OF:**

**Aditya Birla Finance Ltd.**

**...Appellant**

**Versus**

**Kapil Shah & Ors.**

**...Respondents**

**Present:**

**For Appellant :**                   **Mr. Saurav Agarwal and Mr. Akhil Sachar, Advocates**

**ORDER**

**24.05.2018**           The appellant has preferred this appeal against order dated 20<sup>th</sup> March, 2018 which reads as under:

- “1.    *The Learned Counsel from both the sides are present.*
2.    *Valuation Report is awaited.*
3.    *By consent adjourned to 18.04.2018.*
4.    *Ad-interim Injunction granted to continue till further orders.*
5.    *The restrictions vide an Order of 09.11.2018 shall remain in Force till further orders.*
6.    *From the side of the Respondent No. 7 a letter is placed on record through which it was communicated to the Counsel of the respective Parties not to mention the matter in the absence of Respondent No. 7. Henceforth any adjournment should not be considered in the absence of Respondent No. 7”*

From the aforesaid order, we find that no issue has been decided and the interim order passed earlier has been allowed to continue. The interim order passed earlier is not under challenge. For the said reason, we are not inclined to interfere in the interim order. However, taking into consideration the fact that the petition under Sections 241 and 242 of the Companies Act, 2013 is pending consideration for more than one year, the parties are directed to co-operate with the Tribunal to ensure the early disposal of the main petition.

The appeal stands disposed of with the aforesaid observation. No cost.

[Justice S.J. Mukhopadhaya]  
Chairperson

[ Justice Bansi Lal Bhat ]  
Member (Judicial)

/ns/gc