
(2009) 03 SC CK 0222

Supreme Court of India

Case No: Civil Appeal No. 2048 of 2009 (Arising out of SLP (C) No. 23844 of 2008)

Lokhandwala Builders
Private Limited

APPELLANT

Vs

Union of India (UOI)
and Others

RESPONDENT

Date of Decision: March 27, 2009

Hon'ble Judges: S. H. Kapadia, J; Aftab Alam, J

Bench: Division Bench

Advocate: Indu Malhotra, Nupur Kanungo, Shashi M. Kapila and Vikas Mehta, for the Appellant; Gopal Subramaniam, ASG, Ashok K. Srivastava and Sushma Suri, for the Respondent

Final Decision: Allowed

Judgement

1. Leave granted.
2. The appeal is disposed of with no order as to costs.
3. Leave granted.
4. With consent of the parties the matter is taken up for final hearing.
5. Having heard learned Counsel for the parties we direct the Registrar of Companies to hear and decide application (Annexure P-5 to the SLP of the Paper Book) in accordance with law uninfluenced by the observations made by the High Court in the impugned order. The Registrar of Companies will also take into account the effect of the letter dated 30th July, 2008 addressed by respondent No. 3 herein. It is made clear that the decision of the Registrar of Companies will not impact the rights of the parties in the pending passing off action.
6. Accordingly, the appeal is disposed of with no order as to costs.