

NATIONAL COMPANY LAW TRIBUNAL
INDORE BENCH
COURT NO. 1

ITEM No.4
CP/18(MP)2026

Proceedings under Section 241-242

IN THE MATTER OF:

Anil Salhotra & OrsApplicant
V/s
Trehan Damodar Ropeways Pvt Ltd & OrsRespondent

Coram:

Hon'ble Shri Brajendra Mani Tripathi, Member (J)
Hon'ble Shri Man Mohan Gupta Member (T)

PRESENT:

For the Applicant : Mr. Rohit Dubey, Adv (Physical)
For the Respondent : Mr. Krishnaraj Thaker, Sr. Adv (R-2) (Online) a.w.
Mr. Satyaki Mukherjee, Adv (Online),
Mr. Shwetank Ginodia, Adv (Online),
Mrs. Harshita Ginodia, Adv (Online) &
Mr. Madhav Lahoti, Adv (Physical)
Mr. Vijayesh Atre, Adv (R-1 & 3) (Physical) a.w.
Ms. Aarya Chhangani, Adv (Physical)

ORDER

Delivered on 14/05/2026

1. The present petition has been filed by the Petitioners under Sections 241–242 of the Companies Act, 2013, seeking interim reliefs, ad-interim injunctions, and final reliefs against the Respondents.
2. In the present petition, the Petitioners have sought reliefs alleging acts of oppression and mismanagement in the affairs of the Respondent Company and have also prayed for an ad-interim direction to stay the proposed Extraordinary General Meeting (EGM) scheduled on 18.05.2026.
3. It has been argued on behalf of the Ld. Counsel for the Petitioners that, as per company law, removal of a director requires issuance of a valid special notice. The Respondents have served a notice dated 22.03.2026, which, according to the Petitioners, does not qualify as a valid special notice in terms of the applicable provisions of law. It is further submitted that a Memorandum of

Understanding (MoU) executed between the Petitioners and the Respondents is not being adhered to. Ld. Counsel submits that one of the agenda items in the proposed EGM is the removal of Petitioner No. 1, Mr. Anil Salhotra, from the directorship of the Company, and therefore prays that the EGM, insofar as it concerns his removal from the Board of Directors, be stayed till disposal of the present petition.

4. *Per contra*, Ld. Counsel appearing for the Respondents has vehemently argued that the Applicants have failed to establish any case of oppression or mismanagement. It is contended that the notice served upon the Applicant is lawful and in accordance with the provisions of company law and that sufficient opportunity has been granted to the Applicant to participate in the EGM scheduled on 18.05.2026. It is further submitted that it is the statutory right of the Respondent Company to convene an EGM and take decisions regarding appointment or removal of directors, and that settled law discourages interference with the holding of an EGM.
5. We have heard the rival submissions of the parties.
6. Considering the facts and circumstances of the case, and keeping in view that the ad-interim prayer requires consideration on merits, we direct that the Respondents shall not take any decision with respect to the removal of the Applicant from the Board of Directors and the parties shall not disturb the composition of Board of Directors till the next date of hearing. However, the Respondent Company is at liberty to conduct the EGM with respect to the remaining agenda items.
7. It is clarified that the issue of interim relief shall be considered on merits after completion of pleadings.
8. Today, Ld. Counsel for Respondent Nos. 1, 2 and 3 appears and waives formal service of notice and seeks time to file reply. Time is granted. Respondent Nos. 1 to 3 shall file their reply within four weeks with an advance copy to the Applicant. The Applicant may file rejoinder, if any, within one week thereafter.
9. Let notice be issued to Respondent Nos. 4 and 5 through the Registry, returnable on the next date of hearing. The Applicant shall collect the notice from the Registry within three days and serve the same along with a copy of

this order upon Respondent Nos. 4 and 5 through Registered Post/Speed Post, Dasti mode, as well as through the registered email IDs within seven days.

10. Respondent Nos. 4 and 5 shall file their reply, if any, within two weeks from the date of receipt of notice. Rejoinder, if any, shall be filed within seven days thereafter. Proof of service shall be filed by way of affidavit before the next date of hearing.
11. List the matter for filing of replies and proof of service on **30.06.2026**.

Sd/-

MAN MOHAN GUPTA
MEMBER (TECHNICAL)
Tomar

Sd/-

BRAJENDRA MANI TRIPATHI
MEMBER (JUDICIAL)