

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**APPEAL FROM ORDER NO.1188 OF 2009
ALONGWITH
CIVIL APPLICATION NO.1488 OF 2009**

Sheela Brijkishore Sharma & Anr. .. Appellants
V/s.
Shri Bhavani Builders Ltd. & Ors. .. Respondents

Mr. R.C. Kaushik for the Appellants-Applicants.

Mr. G.S. Godbole i/b. Mr. Manoj Upadhyay
for Respondent No.14.

CORAM : SMT. NISHITA MHATRE, J.

DATED : 30TH NOVEMBER, 2009.

P.C.:

1. The Appeal from Order has been preferred against an order dated 30th October, 2009 of the City Civil Court, Dindoshi, Mumbai, refusing to grant ad-interim injunction. In my opinion, the trial Court has not committed any error in refusing the injunction as no particulars are given. Prima facie, it appears from the frame of the Suit that the grievance of the appellants-applicants is oppression and mismanagement of the affairs of the respondent No.1-Company by respondent Nos.2 and 3 who are Directors of respondent No.1.

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2. In these circumstances, in my opinion, the order of the trial Court need not be interfered with as the appellants who claim to be Directors of respondent No.1 have other remedies available to them under the Companies Act.

3. The Appeal from Order is dismissed.

4. In view of the above, Civil Application No.1488 of 2009 pending in the Appeal from Order does not survive and the same is dismissed.

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