

**E.S.Jose Vs. Kerala Chamber of Commerce and Industry**

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**SooperKanoon Citation :** [sooperkanoon.com/1156276](http://sooperkanoon.com/1156276)

**Court :** Kerala

**Decided On :** Jul-11-2014

**Judge :** Honourable Mr.Justice V.Chitambaresh

**Appellant :** E.S.Jose

**Respondent :** Kerala Chamber of Commerce and Industry

**Judgement :**

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT: THE HONOURABLE MR.JUSTICE V.CHITAMBARESH FRIDAY, THE 11<sup>TH</sup> DAY OF JULY 2014 20<sup>TH</sup> ASHADHA, 1936 OP(C).No. 1584 of 2014 (O) ----- IA46982014 IN OS NO. 904/2014 OF 1<sup>st</sup> ADDITIONAL MUNSIFF COURT, ERNAKULAM ----- PETITIONER/PETITIONERIN IA469814/PLAINTIFF IN. O.S. 904/14: ----- E.S.JOSE, S/O. E.B. SOLOMON, AGED 58 YEARS, DIRECTOR, KERALA CHAMBER OF COMMERCE & INDUSTRY REPRESENTING A2Z SANITARY WARES, ID NO. 1008/94 P.T. USHA ROAD, COCHIN - 11, RESIDING AT ERESSERIL HOUSE, KATHRIKKADAVU, KALOOR, PIN - 682017. BY ADVS.SRI.C.S.AJITH PRAKASH SRI.PAUL C THOMAS RESPONDENTS/RESPONDENTS IN IA NO. 4698/14/DEFENDANTS IN OS NO.904/14: -----

1. KERALA CHAMBER OF COMMERCE AND INDUSTRY, REGISTERED OFFICE AT CHAMBER CORNER, SHANMUGHAM ROAD, COCHIN - 682031 2.

MR. E.P. GEORGE CHAIRMAN, KERALA CHAMBER OF COMMERCE AND INDUSTRY, REGISTERED OFFICE AT CHAMBER CORNER, SHANMUGHAM ROAD, COCHIN - 682031.

3. MR. A.J.RAJAN, SECRETARY, KERALA CHAMBER OF COMMERCE AND INDUSTRY, REGISTERED OFFICE AT CHAMBER CORNER, SHANMUGHAM ROAD, COCHIN - 682031. THIS OP (CIVIL) HAVING COME UP FOR ADMISSION ON1107-2014, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: BP OP(C).No. 1584 of 2014 (O) APPENDIX PETITIONER'S EXHIBITS : P1: COPY OF THE PLAINT IN O.S. NO. 904/14 FILED BY THE PETITIONER. P2: COPY OF THE I.A. NO. 4698/14 FILED BY THE PETITIONER. P3: COPY OF THE COUNTER AFFIDAVIT FILED BY DEFENDANT NO. 1 IN I.A. NO. 4698/2014. P4: COPY OF THE ARTICLES OF ASSOCIATION OF THE DEFENDANT COMPANY. P5: COPY OF THE MINUTES OF THE BOARD MEETING OF THE COMPANY DT2912/2012. P6: COPY OF THE MINUTES OF THE BOARD MEETING HELD ON155/2014 AND225/2014. P7: COPY OF THE NOTICE OF THE BOARD MEETING DT46/2014. P8: COPY OF THE NOTICE DT126/2014 ADJOURNING THE BOARD MEETING P9: COPY OF THE NOTICE DT146/2014 ISSUED BY THE RESPONDENT TO THE PETITIONER. P10: COPY OF THE NOTICE DT176/2014 ISSUED BY THE PETITIONER. P11: COPY OF THE LETTER SENT BY THE PETITIONER DT196/2014. P12: COPY OF THE NOTICE DT256/2014 ISSUED BY THE RESPONDENT TO THE PETITIONER. P13: COPY OF THE LETTER SENT BY THE MR. VARGHESE THOMAS TO THE RESPONDENT DT186/2014. P14: COPY OF THE LETTER DT286/2014 SENT BY ANOTHER DIRECTOR OF THE COMPANY. P15: COPY OF THE AGM NOTICE ISSUED BY THE RESPONDENT COMPANY. P16: COPY OF THE NOTIFICATION DT263/2014 ISSUED BY THE MINISTRY OF CORPORATE AFFAIRS. RESPONDENT'S EXHIBITS : NIL. //TRUE COPY// P.A.TO JUDGE BP V.CHITAMBARESH, J.

----- O.P (C) No.1584 of 2014 ----- Dated this the 11th day of July, 2014

**JUDGMENT**

The petitioner intends to challenge the interim order passed in I.A.No.4698/2014 in O.S.No.904/2014 on the file of the court of the First Additional Munsiff of Ernakulam. The petitioner is in urgent need of the carbon/certified copy of the order in order to prefer a Civil Miscellaneous Appeal. I.A.No.5092/2014 to obtain emergent copy under the provisions of the Civil Rules of Practice has also been filed.

2. The petitioner points out that the appeal has to be moved urgently and interim orders sought. The petitioner wants the same to be done before the Annual General Meeting on 19.7.2014. The Original Petition has been filed seeking a direction to the court below to issue carbon/certified copy.

3. I direct the court of the I Additional Munsiff of Ernakulam to issue carbon/certified copy of the order in I.A.No.4698/2014 in O.S.No.904/2014 immediately. The carbon/certified copy shall be issued O.P (C) No.1584 of 2014 2 to the petitioner on usual terms on or before 15.7.2014 at any rate. The Original Petition is disposed of. Sd/- V.CHITAMBARESH, Judge. nj.

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