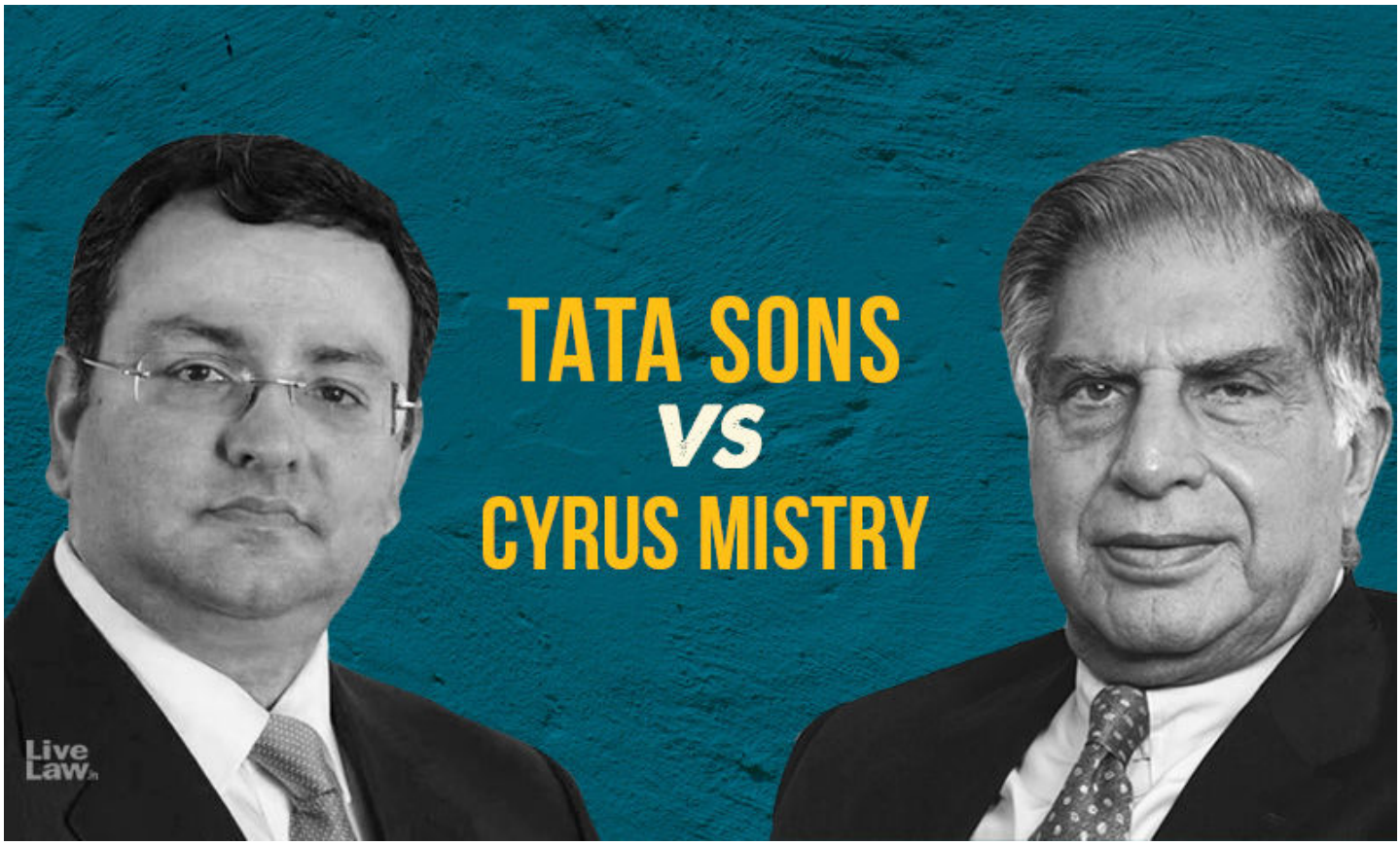
Twitter Thread by Live Law

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Supreme Court resumes hearing in the Tata Sons v Cyrus Mistry case.

Day 4 of the arguments.

Mistry's counsel C A Sundaram, Senior Advocate, making submissions.



CJI tells : I discovered during the weekend that my son, who is practicing in Bombay, has been appearing for 2 years for a subsidiary of Shapoorji Pallonji Group in a matter related to slum rehabilitation.

I must disclose this to you all.

#TataSons

Salve : I think I also have appeared in that matter. I have no objection.

CJI : So can we record no objection.

Salve : Yes.

#TataSons #CyrusMistry

CJI records in the order that parties have no objection to this bench hearing the matter.
#TataSons #CyrusMistry

CJI : This might otherwise create problems later on.

C A Sundaram : Most young lawyers appear for companies of Tata group or SPG.
In England, there have been instances where sons have appeared before their fathers.

CJI : Justice P N Bhagwati has done that.

Sundaram refers to precedents regarding oppression and mismanagement.
#TataSons #SupremeCourt

Sundaram : The purpose of Article 121 provides a majority of 40% of shareholders is mandatory which is not happening in the present case. There is no majority.
#TataSons #SupremeCourt #CyrusMistry

@tatatrusts
@TataCompanies

Sundaram referring to Articles of Association.

#TataSons #SupremeCourt #CyrusMistry

@tatatrusts
@TataCompanies

CJI : What is the difference of age between Ratan Tata and Cyrus Mistry?

Sundaram : 28 years. Cyrus Mistry is 52 and Rata Tata is 81.

@RNTata2000
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CJI and Adv. Sundaran are now discussing on the association between Tata Motors and Uber

#TataSons #SupremeCourt #CyrusMistry

CJI: If you are doing a deal with Uber then that's fine but i hope that the deal gets concluded. Is there anything negative about it?
#TataSons #SupremeCourt #CyrusMistry

Singhvi : Tatas had to use these Tata vehicles for taxis. The deal was done with Uber and not Ola. Ratan Tata happens to own some personal shares in Ola which is why Sundaram is suggesting that he has some interest in Ola.

"It was in personal capacity", he adds
#TataSons

Apropos Sundaram's submissions regarding interference by Tata Trust in the company, CJI Bobde observes :

"Our experience of private companies is that there is a 'pater familias' figure acting like a head of family, asking for information from others"

#TataSons #CyrusMistry

'This is true for Tatas, Birlas etc. This might be happening with the SPG group of companies too', CJI says in lighter vein.

'What is wrong in the head of family asking for information in a family run company?', CJI asks.

#TataSons #CyrusMistry

Sundaram says Tata Sons is a company with thousands of shareholders.
If the company was meant to be family run, it should have remained that way and should not have gone public, Sundaram adds.

#TataSons #CyrusMistry

Sundaram: There has to be some kind of consultation. Otherwise there will be chaos with these kinds of intrusions. The company cannot function in this fashion.

#TataSons #CyrusMistry

Sundaram : Pater familias can be informed about the happenings. No problem with that. The problem is when they claim that they have absolute right to run the company under the Articles.
#TataSons #CyrusMistry

Sundaram : You cannot use the Articles in a manner where you say that you have an absolute right over the affairs.

#TataSons #CyrusMistry

The bench rises for the day. Hearings will continue tomorrow.

CJI to lawyers : Like today, we will sit at 11.30 AM tomorrow. In case if we finish the board by 12.30, you can start by then..

so that the time lost today can be made up.

#TataSons #CyrusMistry