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TATA v MISTRY

Hearing to resume today in Supreme Court. Senior Advocate CA Sundaram to continue arguments on behalf of Shapoorji Pallonji firms.

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TATA v MISTRY

Bench headed by Chief Justice of India SA Bobde assembles.

Hearing commences.

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TATA v MISTRY

CJI SA Bobde announces that over the weekend he discovered his son who is practicing in Mumbai has been appearing for the last 2 years in a slum rehabilitation matter for a subsidiary company of Shapoorji Pallonji group.

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TATA v MISTRY

CJI asks whether Harish Salve, Dr Singhvi or CA Sundaram has any objections to CJI hearing the matter.

None of them object. The same is recorded by the Court.

Hearing continues.

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TATA v MISTRY

CJI says such issues could cause potential problems in future.

Sundaram continues with his arguments.

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TATA v MISTRY

Sundaram citing Articles of Tata Sons to show the supremacy of the Board.

Article 121A was introduced to ensure that certain matters had to necessarily have Board approval.

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TATA v MISTRY

SP group also voted in favour of A 121 due to the relationship of trust they had with Tata Sons.

SP group could not have conceived that the article would be used against them: Sundaram.

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TATA v MISTRY

Discussion on interest that Ratan Tata had in Ola/ Uber

Sundaram says he had a personal interest in Ola

CJI Bobde: Does it mean he had business interest

Dr. Singhvi says he wanted to have Tata cars used in Ola and Uber and not just Ola as suggested by Mistry

TATA v MISTRY

CJI Bobde: Mr. Sundaram, you must bear in mind that this is a private company. Our experience with such companies is that they have heads of families controlling, giving directions etc. Birlas, Tata all have such structures.

Your SP Group might also have it.

TATA v MISTRY

CJI Bobde: What is wrong in head of family wanting information or wanting to control decisions.

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TATA v MISTRY

Sundaram: This company owns many listed companies running to 65 lakh crores with public shareholders. So there should be some kind of independence in decision making.

If they wanted to keep a family affair, they should have remained so instead of making it public

TATA v. MISTRY

A public charitable trust cannot legally run such companies. That is why it needs it be "board run": CA Sundaram.

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TATA v MISTRY

They cannot use the Articles to claim that they have absolute right over affairs of the company: CA Sundaram

Bench rises. Hearing to continue tomorrow.

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TATA v Mistry: What is wrong in head of family wanting a say in the company's affairs?: Supreme Court asks [LIVE UPDATES]

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