

**NATIONAL COMPANY LAW TRIBUNAL
BENGALURU BENCH
COURT NO.1**

ATTENDANCE CUM ORDER SHEET OF THE HEARING OF NATIONAL COMPANY LAW TRIBUNAL,
BENGALURU BENCH, BENGALURU, HELD ON 08.11.2019

CAUSE LIST - 2

PRESENT: 1. Hon'ble Member (J), Shri Rajeswara Rao Vittanala
2. Hon'ble Member (T), Shri Ashutosh Chandra

CP/CA No.	Purpose	Sec	Name of Petitioner	Petitioner Advocate	Name of Respondent	Respondent Advocate
CP No. 185/BB/2019	For admission	Sec 241- 242 of CA 2013	Mr. Bindesh Dutt	Vivekananda. S, Advocate	M/s Impact Safety Glass Works Pvt Ltd	



ADVOCATE FOR PETITIONER/s:

PRASHANT KAMMAR.

ADVOCATE FOR RESPONDENT/s:

C.P No.185/BB/2019

Mrs. Bindesh Dutt Vs.
M/s.Impact Safety Glass Works Private Limited & 3 others.

ORDER

The Bench has made the following Order:

1. C.P.No.185/BB/2019 is filed by Mrs. Bindesh Dutt ('Petitioner'), under Section 241 & 242 of the Companies Act, 2013, against M/s.Impact Safety Glass Works Private Limited & 3 others by inter alia seeking to declare that there is oppression and mismanagement in the affairs of the Respondent No.1 etc.
2. While the main Company Petition is pending, the Petitioner sought interim relief by directing the Respondents to credit the Petitioner's salary that is due to be credited from September 2018, for all the months TDS was deducted etc.
3. Heard Shri Prashant Kammar, learned Counsel for the Petitioner. We have carefully perused the pleadings of the party and extant provisions of the Companies Act.
4. Shri Prashant Kammar, learned Counsel for the Petitioner submits that before filing this Application, they have sent the Petition by speed post to the Respondents. He also submits that the Petitioner being a widow was made to live separately by other family members also deprived her payment of salary and resorting various acts of oppression and mismanagement
5. By perusal of the records, it prima facie shows that the Petitioner is a Shareholder of the Respondent No.1 Company having 16.45% shareholding and Director of the Respondent No.1 Company. However, the Respondents by misusing their majority, are trying to alienate the property of the Company apart from stopping her salary depriving her livelihood, wanted to through her from Directorship of the Company. Therefore, we are inclined to pass the following interim order while the main Petition is pending.
6. Hence, the Respondent is directed to pay the salary to the Petitioner @Rs.50,000/- from September 2018 till the disposal of the main Company Petition, and also directed them not to alienate the properties of the Company till the next date of hearing. In the meanwhile, the Petitioner is directed to take personal notice on the Respondents and permitted them communicate this order.
7. Admit and Post the case for final hearing on **26.11.2019.**

MEMBER(T)

MEMBER(J)