

In the National Company Law Tribunal, Jaipur

CP No. 267(ND)/2017

TA No. 71/2018

UNDER SECTION 59 OF IBC

In the matter of:

Rajkumar Dembla & Ors.

..... Applicant/Petitioners

VS.

Rajasthan Bakers Pvt. Ltd.

.....Respondent

Order delivered on 20.09.2018

Coram: Shri R. Varadharajan, Member (Judicial)

For Petitioner (s) : Naresh Kumar Sejvani, Adv.

For Respondent(s) : B.K. Sharma, PCS

ORDER

Learned counsel for the petitioner is present. Learned counsel for the petitioner points out that the matter has been pending since 28.09.2017. It is pointed out by learned counsel for the petitioner that consistently representation of settlement has been made by the respondents and that they intend to settle the matter with the petitioners and in this connection, order dated 28.05.2018 passed while the matter was pending before the NCLT, New Delhi Bench. From the records it is seen that consequent to the notification of the Central Government in SO 3145(C) dated 28.06.2018, the company petition came to be transferred to

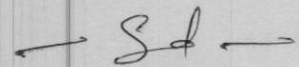
is pointed out

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Jaipur Bench of the NCLT and upon notice to the respondents, the respondents have put in their appearance through Mr. B.K. Sharma (Company Secretary), who represents that in a day or two, authorisation on behalf of respondents will be duly filed. Further, time is also sought for filing of reply to this company petition filed under Section 59 of the Companies Act, seeking for rectification of the register.

An apprehension is also expressed by learned counsel for the petitioner that the company has not been functioning for the past more than one decade and that the company is having immovable property which the petitioner apprehends that the same may be alienated which action will seriously prejudice the interest of the petitioner. Since the matter has been pending for long, almost a year and no reply is coming forth as well as no settlement has also been reported and taking into consideration, the statements of learned counsel for the petitioner a status quo order in relation to the immovable property is granted till the next date of hearing. Let the reply be filed by the respondents on or before the next date of hearing which is fixed on 15.11.2018.



(R. Varadharajan)
Member (Judicial)