

NATIONAL COMPANY LAW TRIBUNAL

NEW DELHI BENCH

CORAM:

06/59/17

**PRESENT: MS. DEEPA KRISHAN
HON'BLE MEMBER(T)**

**MS. INA MALHOTRA
HON'BLE MEMBER (J)**

**ATTENDANCE-CUM-ORDER SHEET OF THE HEARING BEFORE NEW DELHI
BENCH OF THE NATIONAL COMPANY LAW TRIBUNAL ON 04.09.2018.**

NAME OF THE COMPANY: DR Sharma V/s. Pradeep Agarwl & Ors.

SECTION OF THE COMPANIES ACT: 58/59

S.NO. NAME DESIGNATION REPRESENTATION SIGNATURE

Present:
Mr. Dhiraj Kumar Jha, CS
Mr. Amit Goel Advocate for R-3

ORDER

Ld. Counsel for the respondent no.3 submits that the present application for transfer of the shares in the name of the petitioner has been received 19 years after the alleged transfer. In the interim period, much water has flowed under the bridge. The Company demerged and split its shares from time. Bonus shares issued in September, 2009 were dispatched to the registered holder. The submissions made by the ld. Counsel for the respondent that they are not liable to issue bonus shares to the petitioner merits consideration as the company is mandated to issue the bonus shares only to the registered owners. The petitioner, having failed to effect transfer of his shares on time suffers at his own peril and because of lack of diligence. ~~The~~ The petitioner therefore cannot claim these bonus shares. However, with respect of the original shares held by him, the

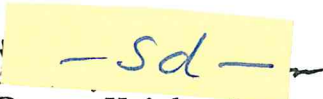
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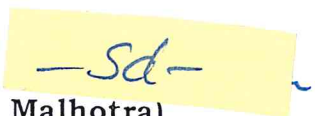
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contesting respondent no.3 is ready and willing to transfer the 360 shares relating to this company on furnishing an Indemnity Bond. Let steps be taken.

Despite service, none has appeared on behalf of respondents no. 2, 4 & 5. Affidavit of service in respect of respondents no. 1,2,4 & 5 are on record. Respondents No. 2, 4 & 5 companies, being successors in-interest of the original company, i.e., Respondent No. 2 are proceeded ex-parte. Keeping in view that they have failed to appear before this Bench to oppose the claim of the petitioner, this petition is disposed off with similar directions to Respondents No. 2,4 & 5 to effect the transfer of the shares held by the petitioner pertaining to them on furnishing of indemnity bonds.

Petition has been disposed off in terms of the above.


(Deepa Krishan)
Member (T)


(Ina Malhotra)
Member (J)