

NATIONAL COMPANY LAW TRIBUNAL
GUWAHATI BENCH: GUWAHATI

DIARY NO.1 (315) OF 2018

Under Section: 98(1) of the Companies Act, 2013

In the matter of:

Sri Tapan Ch. Bhuyan & Another ... Petitioners

-versus-

M/s. Assam Chemicals & Pharmaceuticals (P) Ltd.,
& Another ... Respondents

Order delivered on 04th September, 2018

Coram:

Hon'ble Mr. Justice P. K. Saikia, Member (J)

For the applicants : Mr. Arunangshu Dhar, Advocate
Md. Fahad Faridi, Advocate

For the respondents : None

ORDER

Per Hon'ble Mr. Justice P. K. Saikia, Member (J):

This petition has been preferred by the petitioners above named, seeking the following reliefs: -

"v. Relief(s) sought

- (a) *An order to call, hold and conduct an Extra Ordinary General Meeting of the Respondent No.1 company, in such manner as the Tribunal thinks fit in accordance with the provisions of Section 98 of the Companies Act, 2013 in order to discuss the business as indicated in the Letter of Requisition dated 16.07.2018;*
- (b) *Give such ancillary or consequential directions as this Hon'ble Tribunal may think expedient; including directions modifying or supplementing in relation to the calling, holding and conducting the meeting; and*
- (c) *Pass any other order/orders as this Hon'ble Tribunal thinks fit and proper of the ends of justice."*

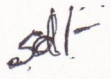
2. Heard Mr. Arunangshu Dhar and Md. Fahad Faridi, learned Advocates appearing for the petitioners. However, none appeared for the respondents.

3. The learned counsel for the petitioners, referring to the reliefs sought for, submit that there are some urgent issues to be discussed in the Extra Ordinary General Meeting (EOGM) and, therefore, they have approached this Bench of the Tribunal by way of the present petition preferred under Section 98(1) of the Companies Act, 2013.

4. The learned counsel appearing for the petitioners submit that they have already sent copy of the petition and the connected documents.

5. I have perused the petition and the connected documents. Issue notice returnable within three weeks, requiring the respondents to submit their counter affidavit, if any, against the prayer made in the petition. The counter affidavit is to be filed on or before 25-09-2018, supplying simultaneously copy thereof to the petitioners. The petitioners, if so desire, may file their reply within three weeks therefrom, sending simultaneously copies thereof to the respondents.

6. List this matter on 29th October, 2018.


Member (Judicial)
National Company Law Tribunal
Guwahati Bench: Guwahati.

Dated, Guwahati the 04th September, 2018
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