

**IN THE NATIONAL COMPANY LAW TRIBUNAL, NEW DELHI**  
**SPECIAL BENCH**

**252/241-242(PB)/2018**

**IN THE MATTER OF:**

Haji Mohd. Yamin & Ors.

...Applicant/petitioner

v.

M/s. Medina Frozen Food Exports Pvt. Ltd.

...Respondent

**Order under Section 241-242.**

**Order delivered on 17.07.2018**

**Coram:**

**Dr. Deepti Mukesh**

**Hon'ble Member(Judicial)**

**Sh. S. K Mohapatra,**

**Hon'ble Member (Technical)**

**PRESENTS**

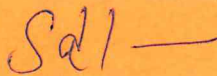
For the Applicant/petitioner : Mr. Rakesh Kumar,  
Ms. Chetna Bisht, Advs.

**ORDER**

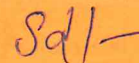
Ld. Counsel for the petitioner and respondent are present. The Ld. Counsel for the respondent undertakes to file vakalatnama within two days. In the meantime the Ld. Counsel for the petitioner prays for grant of interim relief. After the learned counsels for both sides put forward their side, by consent and it is agreed between the parties that in order to allow the company to function in its spirit smoothly, one person from each side namely Petitioner no. 1 Mr. Hazi Mohd. Yamin and Respondent No. 2 Mr. Mohd. Arif jointly shall be the signatories to all the cheques to be issued on behalf of the company to the banks of the company namely HDFC Bank Ltd., NH Plaza, GT Road, Khurja, Uttar Pradesh-203131 & Axis Bank Ltd., 6241, Ground Floor Madhuvan, Shivpuri, Pili Kothi, Hospital Road, Khurja, District Bulandshahr, Uttar Pradesh-203131. The above named banks both are directed to honour the cheques only if signed as directed above on behalf of the company. In case if any of the signatory declines to sign the cheque, the said person has to give in detail the explanation for declining and not signing the said cheque. Both the sides are at

liberty to serve the statement of expenditure for the purpose of statutory requirements and/or salary or necessary expenses to run the company in the normal course. The said statement should be served a week in advance and other side has to give their approval or rejection within three days thereafter. Both the banks are directed to abide by the order passed as today and act accordingly. In the mean while respondents are directed to file reply within three weeks with a copy in advance to the other side. Rejoinder if any be filed within two weeks thereafter with a copy in advance to the other side. It is seen that the company was formed by the father along with their sons and after the death of the father in 2015 the sons have come at the loggerheads <sup>with</sup> ~~at~~ each other. It is further directed that let the wiser counsel prevail and all the parties who are also brothers to come together and resolve the issue, amicably.

For further consideration on 30<sup>th</sup> August, 2018.



**(S. K. MOHAPATRA)**  
**MEMBER (TECHNICAL)**



**(DR. DEEPTI MUKESH)**  
**MEMBER (JUDICIAL)**

17.07.2018  
Ritu Sharma