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BENCH-I

NATIONAL COMPANY LAW TRIBUNAL
KOLKATA BENCH
KOLKATA

CP No. 849/KB/2018

Present: Hon'ble Member (J), Shri Jinan K.R.

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING ON 5TH JULY, 2018, 10:30 A.M.

Name of the Company	Suresh Kumar Agarwala & 5 Ors. -Vs- Neha Fashion Point Pvt. Ltd. & Ors.		
Under Section	241-242		
Sl. No.	Name & Designation of Authorized Representative (IN CAPITAL LETTERS)	Appearing on behalf of	Signature with date

- | | | | |
|----|-----------------------------|---------------------------|-------------------------|
| 1. | ARJUN PILLI
FCA 54822 | BC | Arjun Pilli
5/7/2018 |
| 2. | Gopal Dutta
ACS 46464 | R 2
R 3 | Gutta
05/07/2018 |
| 3. | Mrs Manju Bhutera, Adv | } for the
Petitioners. | A. Banu.
05/08/2018. |
| 4. | Ms. Urmila Chakraborty, Adv | | |
| 5. | Mr. Aaside Choudhury, Adv | | |
| 6. | Mrs. Anindita Basu, Adv | | |

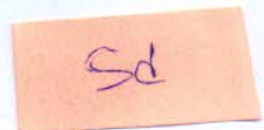
ORDER

The Ld. Counsel for the Petitioners is present. Ld. Counsel for the Respondent No. 1, 2 and 3 is present.

C.P. No. 849/2018 is filed by one of the shareholders of the Respondent no. 1 Company alleging unlawful removal of the petitioners from the Board of Directors of the Respondent No. 1 Company without serving proper notice and also challenged operation of the Bank Account by the Respondents and prays for interim directions so as to not to alter the shareholding of the petitioner as well as the asset of the Respondent no. 1 Company. So also the petitioner sought for direction to be issued restraining the respondents from operating the Bank Account. Prima facia, upon going through the affidavits and the supporting documents, I am satisfied that the petitioner has established an arguable case.

Ld. Counsel entered appearance for the Respondent. The Ld. Counsel for the Respondent soughts time to file reply affidavit. Time is granted. In the meanwhile, the Respondent no. 2 and 3 are hereby directed not to alter the shareholding of the petitioner and the assets of the respondent no. 1 Company and also directed to operate the Bank Account only with the notice to the petitioner. In the meanwhile, it is also submitted by the Ld. Counsel for the Respondent that he has no objection in operating Bank Account jointly by Respondent no. 2 and Petitioner no. 1. It is recorded.

List it for further consideration on 24/08/2018.



(Jinan K.R.)
Member (J)