

**NATIONAL COMPANY LAW TRIBUNAL**

**NEW DELHI BENCH**

**Contempt Petition 18(ND)18  
in CP No. 369(ND)2017**

**SECTION OF THE COMPANIES ACT: 241-242  
In the matter of:**

**Meidensha Corporation**

**Petitioner**

.....

**V/s.**

**Prime Meiden Ltd. & Ors.**

**..... Respondent**

**Order dated on 18.09.2018**

**Coram:**

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

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

**For the Petitioner:** Mr. P. V. Kapur, Sr. Advocate, Dr. Lalit Bhasin with Mr. Inder Raj Gill, Ms. Anuradha Sharma, Mr. R. B. Sinha & Mr. Lakshya Khanna, Mr. Avichal Prasad, Mr. Sidharat Kapur & Ms. Kaveri Gupta Advocates

**For the Respondent:** Mr. Jaideep Gupta Sr. Advocate with Mr. K. Datta, Mr. Jayant Mehta, Mr. Rakesh Ojha, Mr. Nishant Bhardwaj, Mr. Robin Dubey & Mr. Ramanjit Singh & Mr. Upender Singh Advocates

**ORDER**

Notice of this contempt petition 18/ND/18 had been issued earlier in the day. Let reply be filed by the contemnor. Mr. Rohan Mehta had been

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directed to appear in court at 2pm today but on an oral prayer made by Mr. Jaideep Gupta Id. Sr. Counsel, his absence is being condoned on grounds of receiving very little notice.

Ld. Sr. Counsel for the applicant submits that in blatant disregard of the direction given by this Bench vide its order dated 06.09.2018, the contemnor has caused obstruction in the ingress of the material which is parked outside the factory premises at Nellore. It is stated that the goods have been prevented from entering the plant at the instance of PAIL, a security company. Though Ld. Sr. Counsel for the Respondent submits that they have nothing to do with PAIL, his submission is sought to be demolished by the applicants by downloading the MCA record and the web page of PAIL from the internet, which shows respondents 2 & 3 as its Directors.

Ld. Sr. Counsel for the contemnor submits that the deliveries can be made only on fulfilling the legal requirements. However, it is not being pointed what specific compliance is lacking. In view of the specific undertaking given on behalf of the respondents that the material transported to the Nellore factory would not be obstructed by them, no further action is being taken till reply is filed.

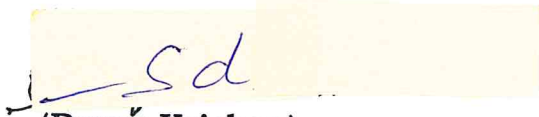
Though indulgence has been granted to the contemnor from being absent in court today, disobedience of directions in respect of obstructing delivery of material shall hereinafter invite penal consequences. The Chairman and Executive Vice-Chairman Viz. Mr. <sup>ri</sup>Sunder Mehta & Mr. Rohan Mehta shall personally ensure that there is no impediment created in the ingress and egress

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of the material at their plant at Nellore, Andhra Pradesh which would affect the working of the Respondent Company. They shall be responsible for any overt act by any of their employees, causing obstruction in the business operation of Respondent No.1.

To come up 30<sup>th</sup> October, 2018 for reply and further consideration.



**(Deepa Krishan)**  
**Member (T)**



**(Ina Malhotra)**  
**Member (J)**