

IN THE NATIONAL COMPANY LAW TRIBUNAL, NEW DELHI
SPECIAL BENCH

ITEM NO. 201
51(ND)/2014

IN THE MATTER OF:

Shiv Pratap Gurjar & Anr. Applicants/petitioners
Vs.
ACE Town Planers Pvt. Ltd. & Ors. Respondents

Order under Section 16d of NCLT Rules

Order delivered on 18.09.2018

Coram:

CHIEF JUSTICE (RTD.) M. M. KUMAR
HON'BLE PRESIDENT

Sh. S. K. MOHAPATRA,
HON'BLE MEMBER (TECHNICAL)

PRESENTS:-

For the petitioner: Ms. Shifa Nagar, Advocate
For the Respondent: Mr. Pankaj Sharma, Director of Respondent Company

ORDER

C.A. No. 890(PB)/2018

This is an application with a prayer for transfer of C.P. No.51(ND)/2014 titled as 'Shiv Pratap Gurjar & Anr. v. ACE Town Planners Pvt. Ltd. & Ors.' to the Jaipur Bench of the NCLT instead of hearing the same at New Delhi. The basic reason highlighted in the application in support of the prayer is that C.P. No. 52(ND)/2014 involving the dispute of 'oppression and mismanagement' is posted for hearing before the Jaipur Bench and similar dispute has been raised in C.P. No. 51(ND)/2014. According to the averments made the parties are common although the non applicant-respondent company i.e. ACE Town Planners Pvt. Ltd. is registered and incorporated with ROC, NCR, New Delhi.

Notice of the application.




Mr. Pankaj Sharma, Director of the non applicant-responder company who is present in the Court, accepts notice and a copy of the application has been handed over to him.

We have heard arguments and are of the view that the prayer made in the application is meritorious and it deserves to be accepted because the parties are common in both Company Petitions namely C.P. No. 51(ND)/2014 & C.P. No. 52(ND)/2014. It would be conducive to hear both the petitions by one Bench because the C.P. No. 52(ND)/2014 is already listed before the Jaipur Bench and is at the stage of argument. Therefore, we direct that C.P. No. 51(ND)/2014 be also listed before the Jaipur Bench. The record of the case be immediately transferred to the Jaipur Bench along with all applications and order sheets.

The application stands disposed of.



(M. M. KUMAR)
PRESIDENT



(S. K. MOHAPATRA)
MEMBER (TECHNICAL)

18.09.2018
VINEET