

NATIONAL COMPANY LAW TRIBUNAL
ALLAHABAD BENCH

ITEM NO :10

CP NO. 155/ALD/2019, CA NO. 210/2019

ATTENDANCE - CUM-ORDER SHEET OF THE HEARING OF ALLAHABAD BENCH OF THE NATIONAL COMPANY LAW TRIBUNAL ON 08.01.2021 THROUGH VIDEO CONFERENCING.

NAME OF THE COMPANY : SHOE KUMAR AGARWAL V/s YASHWI MOTORS PVT. LTD.

SECTION : 241/242 OF COMPANIES ACT, 2013

PRESENT : HON'BLE MR. JUSTICE (RETD.) RAJESH DAYAL KHARE, MEMBER (J)

COUNSEL FOR APPELLANT : SH. ABHISHEK MISHRA, PCS

COUNSEL FOR RESPONDENT : SH. NESAR AHMAD, SH. ANIL KUMAR,

COUNSEL FOR HDFC BANK : SH. RAVI PRAKASH SRIVASTAVA, ADV.

COUNSEL FOR BANK OF INDIA : SH. PRABODH KUMAR BAJPAI, ADV.

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The matter was taken up today through Video Conferencing.

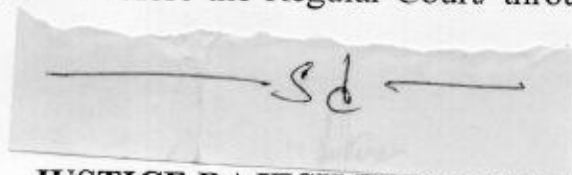
Heard Sh. Abhishek Mishra, PCS for the Petitioner, Sh. Anil Kumar, Sh. Nesar Ahmad, PCS/s for respondents and Sh. Ravi Prakash Srivastava, Advocate for the HDFC Bank through video conferencing.

Learned PCS for the Applicant (In CA No. 210/2019) states that the Reply of the HDFC Bank has been received by him and learned counsel for the applicant propose to file rejoinder to the same and also states that the FIR which has been referred to in the reply of the HDFC Bank does not mention HDFC bank but rather it mention the name of Bank as "Bank of India" and therefore, he argued that for limited purpose, i.e for running the business of the company, atleast bank account may be permitted to be made function.

Sh. Ravi Prakash Srivastava learned counsel appearing for the HDFC Bank states that the action was taken only in the larger interest of the company.

After hearing the learned counsels for the parties, three weeks time is granted for filing rejoinder to the reply filed by the HDFC Bank, in the meantime, the HDFC Bank is directed to permit the functioning of the account for limited purpose of day to day business and for payment of suppliers but personal withdrawal will not be permitted till the next date of listing.

Accordingly, put up on 15th March, 2021 before the Regular Court/ through Video Conferencing.



JUSTICE RAJESH DAYAL KHARE
(MEMBER JUDICIAL)

Dated : 08.01.2021

Typed by :
Kumud Narayan
(P.S.)