

IN THE NATIONAL COMPANY LAW TRIBUNAL
NEW DELHI, COURT - II

Item No. 105

28(ND)/2016

COMP.APPL-807/2020 COMP.APPL825/2020 COMP.APPL-1/2021

New COMP.APPL/55(ND)2021

IN THE MATTER OF:

Sh. Rajeev Behl ... **Applicant/Petitioner**

Versus

M/s. Realtech Infrastructure Ltd. & Ors ... **Respondent**

Under Section: 397-398

Order delivered on 03.03.2021

CORAM:

SHRI. ABNI RANJAN KUMAR SINHA
HON'BLE MEMBER (J)

SHRI L.N. GUPTA,
HON'BLE MEMBER (T)

PRESENT: Shuanak Kashyap Adv and Rahul Mukherjee Adv for
Petitioner/Applicant.

ORDER

CA-807/2020: Mr. Tandon appearing for both the Respondents submitted that he has filed the reply on 30.01.2021 but the same is not on record. Ld. Counsel is requested to share the diary no. with the Court Officer. The Registry is directed to place the same on record. List the matter on 10th March, 2021.

CA-825/2020: Heard, Ld. Counsel appearing for the Applicant and perused the averment made in the application.

Ld. Counsel appearing for the Applicant in the course of his arguments submitted that in prayer portion, the Applicant at present is pressing for relief specifically against the prayer No.2, which reads as below:

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“Pass an order thereby restraining Respondent No.2 from filing, and Respondent No.3 may be restrained from accepting, inter alia, any Balance Sheets, Annual Returns and/or any other document pertaining to appointment/removal of directors with respect to the Respondent No.1 Company till pendency of the captioned Petition”.

He further submitted that the balance sheet, Annual Returns and other documents have already been uploaded.

Considering this submission, in our opinion, the prayer no. 2 has become infructuous because all the documents, referred in the prayer 2 have already been uploaded. Therefore, the Petitioner is well-advised to make necessary amendments in the relief portion by filing a supplementary affidavit. List the matter on 10th March, 2021.

CA-1/2021: On the request of Respondent’s Counsel, list the matter on 10th March, 2021.

CA-55/2021: By filing this application, the Applicant has prayed for early listing of CA-807/2020, 825/2020 & CA-1/2021. Since all these three applications are listed today. Therefore, the present Application has become infructuous. The CA is **dismissed being infructuous.**

Petitioner’s Counsel is requested to provide the soft copy of the main Application with the Registry, so that the same be uploaded on the DMS.



**(L. N. GUPTA)
MEMBER (T)**



**(ABNI RANJAN KUMAR SINHA)
MEMBER (J)**