

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

Item No.-213

CP No. - 81/241/242/ND/2020

CA-03/C- V/ND/2020

IN THE MATTER OF:

Mam Chand Goel

Vs.

Uttar Development Private Limited & Ors

....Applicant

.....Respondent

SECTION

U/s 241-242

Order delivered on 05.10.2020

CORAM:

SHRI ABNI RANJAN KUMAR SINHA
HON'BLE MEMBER (JUDICIAL)

SHRI K.K. VOHRA,
HON'BLE MEMBER (TECHNICAL)

PRESENT:

For the Applicant

For the Respondent

: Mr. Parshant Mehta and Mr. Arush Kumar, Advocates

: Mr. Gursat Singh, Advocate for R3 and R5

ORDER

Mr. Prashant Mehta appeared for the petitioner. Mr. Gursat Singh appeared on behalf of R-4 and seeks time to file reply on behalf of all the respondents. He further submitted that although he is appearing on behalf of R-4 but he is seeking adjournment for all the respondents on the instructions of the counsel for all other respondents as the counsel for all the other respondents has been tested positive for COVID-19. He further submitted that one more last opportunity may be given to file the reply.

Considering the submissions, we are giving one week's time to file the reply i.e. on or before 12.10.2020. If they fails to file the reply within one week, then they will be deem to be debarred from filing the reply. List on 15.10.2020.

-sd-

(K.K. VOHRA)
MEMBER (T)

-sd-

(ABNI RANJAN KUMAR SINHA)
MEMBER (J)

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HON'BLE MEMBER (JUDICIAL)

SHRI K.K. VOHRA,
HON'BLE MEMBER (TECHNICAL)

PRESENT:

For the Applicant : Mr. Parshant Mehta and Mr. Arush Kumar, Advocates
For the Respondent : Mr. Gursat Singh, Advocate for R3 and R5

ORDER

Mr. Prashant Mehta appeared for the petitioner and Mr. Gursat Singh appeared on behalf of R-3 & R-5. None appeared on behalf of other respondents. Mr. Gursat Singh submitted that the counsel appearing for all other respondents has tested positive for COVID-19 including his juniors so the reply could not be filed within time.

On the other hand, Ld. counsel for the petitioner submitted that on 09.08.2020, Mr. Siddharth appeared on behalf of all the respondents except respondent no. 5 and submitted that he has himself isolated due to the symptoms of COVID-19 and sought adjournment for filing the reply. On his request, the matter was adjourned for two weeks .

Considering the submissions, when we have gone through the order dated 09.08.2020, then we find that the last opportunity was given to Mr. Siddharth for filing the reply within three weeks which comes to end on 09.09.2020.

No reply has been filed on behalf of the respondent including the R-3 & R-5 who are represented by Mr. Gursat Singh. Considering these situations, we have no option but to reject



the prayer of the respondent to adjourn the case for filing the reply. Accordingly, the prayer to adjourn the matter for filing the reply is rejected. The respondents are debarred from filing the reply.

Now, since the pleadings are complete, list the case on 02.11.2020.

-Sd-

(K.K. VOHRA)
MEMBER (T)

-Sd-

(ABNI RANJAN KUMAR SINHA)
MEMBER (J)