

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

Item No. 201
75/241- 242/ND/2019
COMP. APPL./404/2020

IN THE MATTER OF:

M/s. Amanpreet Singh BAWA ... **Applicant/Petitioner**

Versus

M/s. Satkar Logistics Pvt. Ltd. & Anr. ... **Respondent**

Under Section: 241-242

Order Delivered on 25.09.2020

CORAM:

SHRI. CH. MOHD. SHARIEF TARIQ,
HON'BLE MEMBER (J)

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

PRESENT:

For the Applicant : Mr. Ketan Madan, Mr. Himanshu Harbola, Adv.
For the Respondent : Mr. P. Nagesh, Mr. Nishant Anand, Mr. Harshal
Adv.

ORDER

CA 404/2020 filed in CP 75/2019 : The prayer made in the Application is to direct Respondent No. 2 to sign the necessary documents for the purpose of statutory compliances as the Companies Fresh Start Scheme (CFSS) 2020, currently in vogue, is going to expire on 30th September.

At this stage, Sr. Counsel for the Respondent No. 2 has caused appearance and submitted two proposals, one, that the Applicant may choose a neutral place and bring all the records for signature of the Respondent No. 2. However, he added that presently the Respondent No. 2 is under quarantine since last five days due to Covid-19. The second suggestion given by the Sr. Counsel is that the Applicant/petitioner may convene a meeting of the Shareholders and appoint an Additional Director for the purpose of signing the required documents and statutory compliances.

The Counsel for the Petitioner opted for the option no.1 but the state of health of the Respondent No. 2, who is reportedly under quarantine for the last 5 days, is a hurdle. Whereas the CFSS 2020, on the other hand, is going to expire on 30th September 2020.



In the circumstances, the Applicant/petitioner may opt for the 2nd suggestion made by the Sr. Counsel for R-2 i.e., to call a meeting of the Shareholders on short notice and decide to appoint an Additional Director for the purpose of signing the documents and statutory compliances.

Accordingly, the Application stands disposed of.



(L. N. GUPTA)
MEMBER (T)



(CH. MOHD. SHARIEF TARIQ)
MEMBER (J)