

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

Item No.-212

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

New Contempt Application-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 18.09.2020

CORAM:

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

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

PRESENT:

For the Applicant

: Mr. Prashant, Mr. Arush & Mr. Atush

For the Respondent

: Mr. Siddharth & Ms. Ankita for R-2 & Mr. Gursat for R-3 & 4

ORDER

CA/03/2020:-

The present application has been filed on behalf of applicants under Section 425 of the Companies Act, 2013 read with Rule 11 of the NCLT Rules, 2016 to initiate the contempt proceedings against the respondent no. 2, 3 and 4 for wilful disobedience of the order dated 31.07.2020.

Mr. Gursat has appeared on behalf of R-3 and 4 and submitted that he has not received the copy of the present application. Mr. Prashant Mehta, counsel for petitioner is directed to serve the copy of application on the email id of R-3 and 4 during the course of day.

All the respondents i.e. R-2, 3 & 4 are directed to file reply if any within 10 days from today. Let the same be filed after serving advance copy of the same to the Ld. Opposite Counsel.



Ld. Counsel for petitioner, in his arguments submitted that the banner of R-4 is appearing on the site and also the goods and materials are also at site, therefore, Ld. Counsel for petitioner is directed to bring all these documents by filing additional supplementary affidavit.

However, in the meantime, all the parties are directed to comply our previous orders, if any violation will dealt in accordance with the provisions of law.

Hon'ble Member (T) at this point as stated that the statement of Mr. Siddharth counsel for respondent is important to be recorded wherein he has mentioned that the petitioner representative had approached to the police station stating that NCLT has granted stay order for land of more than 26 hectares against around 5 hectares as stated by Mr. Siddharth, at this stage we are not giving any views which will be required to be proved by Mr. Siddharth at subsequent hearing.

List the case on 05.10.2020.

Sd/-

(K.K. VOHRA)
MEMBER (T)

Sd/-

(ABNI RANJAN KUMAR SINHA)
MEMBER (J)