

(35)

NATIONAL COMPANY LAW TRIBUNAL
SINGLE BENCH
CHENNAI

ATTENDANCE CUM ORDER SHEET OF THE HEARING OF CHENNAI BENCH, CHENNAI
NATIONAL COMPANY LAW TRIBUNAL, HELD AT 02.30 PM ON 4.10.2018

PRESENT: SHRI Ch. MOHD SHARIEF TARIQ, MEMBER-JUDICIAL

APPLICATION NUMBER : IA/201/2018

PETITION NUMBER : CP/35/2017

NAME OF THE PETITIONER(S) : RADHAKRISHNAN SATHURAPPAN

NAME OF THE RESPONDENT(S) : EZON ENERGY SOLUTIONS PVT LTD

UNDER SECTION : 241/242

S.No. NAME (IN CAPITAL)

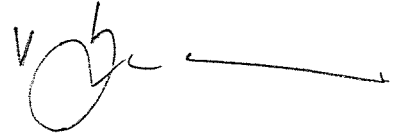
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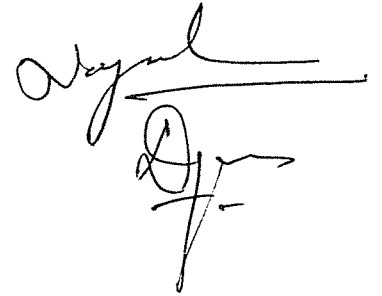
REPRESENTATION BY WHOM

1. T.V. Suresh Kumar
For Genicon Associates
N.A. Srinivasan
- 2) N.P. Nagulakrishni
D. Rajashekar

Respondent



P2 and P5



ORDER

Counsels for both the parties are present.

Heard, perused the Application and the preliminary counter filed by the Respondent. It has been submitted by the Counsel for Applicant that Respondent may be given direction to return Rs.91 lakhs which they have been misappropriated. The Application has been filed under Section 447 of the Companies Act, 2013.

The preliminary counter has been filed stating therein that the Application under Section 447 of the Companies Act, 2013 is not maintainable as the same pertains to the allegation of fraud for which the jurisdiction is lying with the Special Economic Offences Court.

In view of the reply filed and the submissions made by the Counsel for Respondent, the Application is devoid of merits and stands **rejected**.

-sd-
(CH. MOHD SHARIEF TARIQ)
MEMBER (JUDICIAL)

ghk