

**IN THE NATIONAL COMPANY LAW TRIBUNAL
HYDERABAD BENCH, HYDERABAD**

CA No.161/2017 in
CA No. 48/97/HDB/2017
U/s 97 of Companies Act, 2013
R/w Rule 32 of NCLT Rules 2016

In the matter of

M/s IJM (India) Infrastructure Limited
H.No. 1-89/1, Plot No. 42 and 43
3rd and 4th Floor, Kavuri Hills Phase-I
Madhapur, Hyderabad- 500081
Telangana, India

Applicant/
Applicant

Versus

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OF THE ORIGINAL

1. M/s Swarnandhra - IJMII Integrated Township Development
Company Private Limited
H.No. 1-89/1, Plot No. 42 and 43
3rd and 4th Floor, Kavuri Hills
Phase-I, Madhapur, Hyderabad- 500081
Telangana, India
2. The Andhra Pradesh Housing Board
Represented by its Successor entity
Telangana Housing Board through its
Chairman ...Respondents
3. The Andhra Pradesh Housing Board
Represented by its Vice Chairman
Ramavarappadu, Vijayawada. ..Proposed Respondent

Date of order: 19.09.2017

CORAM

Hon'ble Shri Rajeswara Rao Vittanala, Member (Judicial)
Hon'ble Shri Ravikumar Duraisamy, Member (Technical)



Parties / Counsels Present

For the Petitioner:

Mr. Vivek Ganesh, Advocate

For the Respondent:

Shri. J. Prabhakar and Ms Rekha
Kumari, Advocates

Per: Rajeswara Rao Vittanala, Member (Judicial)

ORDER

1. The present Interlocutory Application bearing CA No. 161/2017 in CA No. 48/97/HDB/2017, is filed by IJM (India) Infrastructure Limited (Applicant Company) under Rule 32 of NCLT Rules, 2016, by seeking to implead Andhra Pradesh Housing Board, represented by its Vice Chairman as the 3rd Respondent in the Company Application No.48/97/HDB/2017 and subsequently permit them to amend the cause title of the Company Application, etc.
2. Heard Shri Vivek Ganesh, Learned Counsel for the Applicant Company and Shri J. Prabhakar and Ms. Rekha Kumari, Learned Counsels for the Respondents.
3. The Learned Counsel for the Applicant Company submits that the 1st Respondent is jointly promoted by the Applicant Company and Andhra Pradesh Housing Board (APHB) prior to bifurcation of the erstwhile State of Andhra Pradesh as per Gazette Notification No. 130 - "Telangana Adaptation of laws Order, 2016" dated 01.06.2016 and the Government of Telangana, Change of nomenclature of Housing Board in Telangana State - Order dated 02.07.2016 has been renamed as Telangana Housing Board. Since, APHB is not impleaded as Respondent to the issue in CA No. 48/97/HDB/2017, now he wants to implead it as it is having a separate legal entity by virtue of bifurcation of the A.P. State. Therefore, he has filed



the present Company Application by seeking reliefs as stated above.

4. Ms. Rekha Kumari, Learned Counsel for the Respondents, (representing APHB) submitted that they have accepted notices on behalf of Telangana Housing Board (THB) as well as APHB, Proposed Respondent and filed their vakalat for both the parties. Therefore, she requested to grant time to file a reply to the main CA.
5. We have considered the pleadings of both the parties and found that APHB is proper and necessary party to implead it as 3rd Respondent in the main CA and thus the Company Application requires to be allowed.
6. For the above said reasons, Company Application bearing CA No. 161/2017 in CA No. 48/97/HDB/2017 is allowed by permitting the applicant to implead APHB as 3rd Respondent and subsequently amend the cause title as prayed for. The Applicant is directed to file amended copy of the Company Application within two weeks from today by duly serving the copy to other side.
7. Post the case on 06.10.2017

Sd/-
Ravikumar Duraisamy
Member (Technical)

Sd/-
Rajeswara Rao Vittanala
Member (Judicial)

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OF THE ORIGINAL

[Signature]
Dy. Regr./Asst. Regr./Court Officer/
National Company Law Tribunal, Hyderabad Bench

प्रमाणित प्रति
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केस संख्या
CASE NUMBER *CAN-161/2017 in CAN-48/97/HDB*
निर्णय का तारीख
DATE OF JUDGEMENT *19.9.2017*
प्रति तैयार किया गया तारीख
COPY MADE READY ON *26.9.2017*