

**NATIONAL COMPANY LAW TRIBUNAL**  
**NEW DELHI BENCH**

**CORAM:**

**CP 394/ND/2017**

**PRESENT: SH. S. K. MOHAPATRA**  
**HON'BLE MEMBER(T)**

**SMT. INA MALHOTRA**  
**HON'BLE MEMBER (J)**

**ATTENDANCE-CUM-ORDER SHEET OF THE HEARING BEFORE NEW  
DELHI BENCH OF THE NATIONAL COMPANY LAW TRIBUNAL ON  
16.11.2017**

**NAME OF THE COMPANY: M/s PCI Limited & Ors. Vs. Prime Meridien  
Ltd. & Ors.**

**SECTION OF THE COMPANIES ACT: 241-242**

<b>S.NO.</b>	<b>NAME</b>	<b>DESIGNATION</b>	<b>REPRESENTATION</b>	<b>SIGNATURE</b>
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For the Petitioner (s): Mr. P. V. Kapur and Shri U. K. Choudhary, Sr. Advocate  
with  
Mr. Rohit Kochhar, Mr. Nishant Menon, Mr. Inder Raj  
Gill and Ms. Anuradha Sharma, Advocates

For the Respondent (s) : Mr. Jaideep Gupta, Sr. Advocate with  
Mr. Rohin Dubey, Mr. Nishant Bhardwaj,  
Mr. Jayant Mehta, Mr. Siddharth Yadav, Advocates  
Mr. Avichal Prasad, Advocate for R-2  
Mr. Lakshya Khanna, Advocate for R-3 to 8

**ORDER**

CA-306/2017

Vide the present application the Petitioners pray for removal of Mr. Justice (Retd.) S.N. Aggarwal from the position of the Observer and for not considering his report. Mr. Gupta, Ld. Sr. Counsel for the applicant also prays that the Respondents' resolutions purported to have been passed in the meeting dated 12<sup>th</sup> November 2017, convened on the directions of the Court, should not be given effect to, as they are in violation of the Articles of Association of the Petitioner Company.

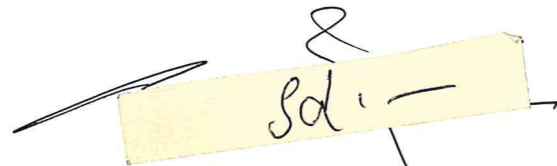
  
(Lekh Raj Singh)

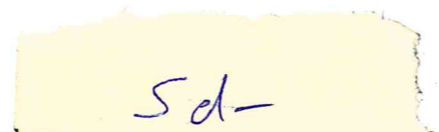
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Mr. P.V. Kapur, Ld. Sr. Counsel has countered the argument by taking this Bench through the Articles to augment his submission that no illegality has crept in the Board Meeting.

Considering the facts of the case, it would be expedient to have Minutes of the Board Meeting before us and as well as the Observer's report.

In view of the urgency pressed, list this case for further consideration on 17<sup>th</sup> November, 2017 at 3:30.

  
(S. K. Mohapatra)  
Member (T)

  
(Ina Malhotra)  
Member (J)