

**NATIONAL COMPANY LAW TRIBUNAL
GUWAHATI BENCH**

T.P.No.25/2016
(C P No.992/2011)

Under Section 397/398 of the Companies Act, 1956

In the matter of:

Deba Kumar Hazarika & Anr.

... Petitioners

Versus

M/S Assam Chemicals and
Pharmaceutical Pvt. Ltd. & Ors.

... Respondents

Date of Order: 2nd August 2017

Coram:

Hon'ble Mr Justice P K Saikia, Member(J)

For the petitioners:

Mr A.K. Srivastava, Advocate &
Mr A. Baruah, Advocate

For the respondents:

Mr A.K. Roy, FCS & Mr A.K. Choudhury,
Advocate for R3 & R4,
Mr A. Das, Advocate for R 6, 7, 8, 9, 10,
13 & 14,
Mr R. Sharma for R 11 & R 12
Mr N. Dasgupta & Mr S.S. Roy, Advocates
for R 15.

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ORDER

Mr A.K. Srivastava and Mr A. Baruah, learned Advocates are present for the petitioners. Mr A.K. Roy, FCS & Mr A.K. Choudhury, learned Advocate appear on behalf of respondent Nos.3 & 4. Mr A. Das, learned Advocate is present for respondent Nos.6, 7, 8, 9, 10, 13 & 14. Mr N. Dasgupta and Mr S.S. Roy, learned Advocates appear on behalf of respondent No.15. Mr R. Sharma, learned Advocate is present for respondent Nos.11 & 12.


2. Heard arguments advanced by the learned counsel for the petitioners. During the course of hearing, it is found that copies of some documents, namely, reply filed by respondent Nos.1, 2, 3 & 4, rejoinder filed by the petitioners and two additional affidavits filed by the respondent Nos.3 & 4 on 12.12.2013 & 31.12.2013 respectively have not been furnished to the newly impleaded respondents.

3. Learned Advocates for the newly impleaded respondents submit that unless those documents are furnished to them, they will not be in a position to project their side of the case properly. Therefore, they urge this Tribunal to pass an order requiring those documents to be furnished to the newly impleaded respondents.

4. As desired by the parties, time is granted to obtain certified copies of the aforementioned documents. In that connection, it is directed that the parties who want certified copies of those documents shall make application before the Registry of this Tribunal immediately and the Registry will supply them the certified copies of the documents within three days from the date of receipt of such applications.

5. In view of the above developments, hearing could not be completed today.

6. List the matter on 07.09.2017.



Judicial Member
National Company Law Tribunal,
Guwahati Bench,
Guwahati.

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