

**NATIONAL COMPANY LAW TRIBUNAL
GUWAHATI BENCH**

TP No.22/397/398/GB/2016 (C.P.No.205/2015)

With

I.A.No.2/2016

&

T.A.No.15/2016 (C.A.No.402/2016)

Under Section 397/398 of Companies Act, 1956

In the matter of:

Ram Swaroop Joshi & Ors. ...Petitioners

-Versus-

Buildworth Pvt. Ltd. & Ors. ... Respondents

Date of Order: 13th July 2017.

Coram:

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

For the petitioners: Mr Dhruba Ghosh, Sr. Advocate
Mr S.K. Chakraborty, Advocate,
Ms N. Sonali, PCS

For the respondents: Mr R. Banerji, Sr. Advocate,
Mr K. Goswami, Advocate,
Mr R. Sarmah, Advocate,
Ms S. Barman Roy, Advocate

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ORDER

T.A.No.15/2016 (C.A.No.402/2016)

Mr R. Banerjee, learned Sr. Advocate, Mr K. Goswami, Mr R. Sarmah and Ms S. Barman Roy, Advocates remained present before this Tribunal representing the applicants/respondents. Mr D. Ghosh, learned Sr. Advocate, Mr S.K. Chakraborty,

Advocate and Ms N. Sonali, PCS are also present before this Tribunal representing the non-applicants/petitioners.

2. The counsel for the parties are heard in the matter of ordering the filing of a complaint against the non-applicants/petitioners herein in terms of Section 340 of the Cr.PC.

3. Order is reserved.

I.A.No.02/2016

4. Mr D. Ghosh, learned Sr. Advocate, Mr S.K. Chakraborty, Advocate and Ms N. Sonali, PCS are also present before this Tribunal representing the applicants/petitioners. On the other hand, Mr R. Banerjee, learned Sr. Advocate, Mr K. Goswami, Mr R. Sarmah and Ms S. Barman Roy, Advocates remained present before this Tribunal representing the non-applicants/respondents.

5. Mr Ghosh has prayed that he may be given some time to file rejoinder to the reply since he could not do the same in the meantime for some serious other pre-occupation. Such a plea was opposed to by Mr Banerjee stating that since the applicants could not submit within the time fixed by this Tribunal, there is no any ground for extension of time to enable the applicants to file the rejoinder to the reply of the respondents.

6. I have considered the rival submissions having regard to the materials on record. For ends of justice, the applicants are given one more chance to file rejoinder within a week from today supplying simultaneously copies thereof to the non-applicants/respondents.

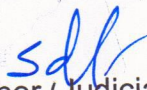
7. List this matter on 17.08.2017 for hearing.

I.A.No.03/2016

8. In view of orders, passed in connected proceedings, this proceeding is ordered to be listed on 17.08.2017 for simultaneous hearing with the connected proceedings

T.P.No.22/2016

9. In view of orders, passed in connected proceedings, this proceeding is ordered to be listed on 17.08.2017 for simultaneous hearing with the connected proceedings.


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

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