

ATTENDANCE-CUM-ORDER SHEET OF HEARING

**NATIONAL COMPANY LAW TRIBUNAL
GUWAHATI BENCH**

T.A.No.07/2016 (C.A.No.126/2016)

T.A.No.27/2016 (C.A.No.460/2013)

&

T.A.No.08/2016 (C.A.No.08/2016)

In

TP No.13/397/398/GB/2016

(C P No.186/2013)

Sharmila Shetty.

...Petitioners

-Versus-

B & A Ltd. and Others

... Respondents

CORAM:

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

Date of hearing: 9th May 2017.

Name of the Company	Doloo Tea Co. (India) Ltd. and Others
Under Section	397/398

Sl. No.	Name & Designation of Authorized Representative (IN CAPITAL LETTERS)	Appearing on behalf of	Signature with date
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ORDER

T.A.No.07/2016 (C.A.No.126/2016)

The applicant remains absent without taking any steps. On the other hand, Mr R. Banerjee, learned Sr. Advocate as well as Mr A. Roy, Mr R.K. Rai and Mr A.K. Sahewalla, Advocates appear before this Tribunal representing the non-applicants/respondents.

2. Seen the order passed by this Tribunal on the last occasion as well as on several earlier occasions. On perusal of those orders, it is found that the applicant/petitioner on almost all earlier occasions prayed for adjournment on one

ground or other which sufficiently delay the disposal of the proceeding in hand. In this connection, I find it necessary to reproduce some of the earlier orders, more particularly, the order dated 07.03.2017. For ready reference, order dated 07.03.2017, passed by this Tribunal, is reproduced below:

"Heard Ms M. Kakati and Mr A. Hasan, learned counsel for the petitioner/applicant. They submit that this application may be adjourned for some time on the ground that the learned Sr. Counsel engaged could not appear before this court today due to his preoccupation in some other urgent matters.

2. Also heard Mr R. Banerjee, learned Sr. Counsel for the opposite party/respondents assisted by Mr A. Roy, Mr R.K. Rai and Mr A.K. Sahewalla, Advocates. Mr Banerjee objects to the prayer for adjournment stating that several adjournments have already been granted to the learned Sr. Counsel for the petitioner/applicant on one pretext or other but the learned Sr. Counsel for the petitioner/applicant never appears before this court till date. He further submits that delay in hearing the present proceeding also causes a lot of complications and, therefore, he prays before this court not to allow the prayer for adjournment.

3. I have perused the record and found that on earlier occasions also, adjournments were granted in order to enable the learned Sr. Counsel for the petitioner/applicant to appear before this court.

4. On consideration of the submissions and having regard to other facts found on record, I adjourn this proceeding till 09.05.2017 on the condition that no further adjournment on any ground will be entertained on the next date.

5. List the matter on 09.05.2017."

3. Unfortunately, today too, the applicant remained absent, and that too, without taking any steps.

4. Reluctantly, I adjourn the matter till 13.07.2017.

5. It is made clear that if the applicant/petitioner is found absent on the next date, necessary order on the prayer made in present proceeding would be passed in accordance with law.

T.A.No.27/2016 (C.A.No.460/2013)

6. The applicant remains absent without taking any steps. On the other hand, Mr R. Banerjee, learned Sr. Advocate as well as Mr A. Roy, Mr R.K. Rai and Mr

A.K. Sahewalla, Advocates, remain present before this Tribunal representing the non-applicants/respondents.

7. For the ends of justice, the matter is adjourned till 13.07.2017.

8. It is made clear that if the applicant/petitioner is found absent on the next date, necessary order on the prayer made in present proceeding would be passed in accordance with law.

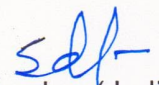
T.P.No.13/2016 (C.P.No.186/2013

9. The petitioner remains absent without taking any steps. Heard Mr R. Banerjee, learned Sr. Advocate, assisted by Mr A. Roy, Mr R.K. Rai and Mr A.K. Sahewalla, Advocates, who all appear before this Tribunal today on behalf of the respondents.

10. List this matter on 13.07.2017 along with other connected proceedings.

11. It is made clear that if the applicant/petitioner is found absent on the next date, necessary order on the prayer made in present proceeding would be passed in accordance with law

12. Registry is directed to issue notice to the petitioner regarding posting of this matter on 13.07.2017 by Registered Post with A/D as well as by email.


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

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