

ATTENDANCE-CUM-ORDER SHEET OF HEARING

NATIONAL COMPANY LAW TRIBUNAL
GUWAHATI BENCH

IA No. 6 of 2017 in
TP No.26/397/398/GB/2016
(CP No. 80/2000)

Kamakhya Kumar Roy

- Petitioners

-Versus-

M/s. Bogidhola Tea & Trading Co.(P)Ltd & Ors.

-Respondents

PRESENT


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

Date of Order : 10.04.2017

Name of the Company	
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

 Heard Mr.S. Chakraborty, learned counsel for the applicant. Also heard Mr. N.B.P. Singha, learned counsel appearing for the respondent No.3.

This application has been filed by Sri Sanjay Kumar Singh, son of Late Kamakhya Kumar Roy seeking substitution of legal representatives of Late Kamakhya Kumar Roy, who reportedly expired on 8th January, 2017.

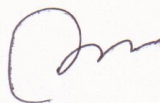
Mr. S. Chakraborty, learned counsel for the applicant submits that on receipt of the proceeding from NCLT, Delhi, this Tribunal vide order dated 03.03.2017 ordered for **registration** of the proceeding in accordance with the rule and also ordered issuance of notice to the respondents.

It appears from the Note of the Registry that in terms of the order of this Tribunal on 03.03.2017, notices were sent to the respondent Nos. 2 and 4 by Speed Post, but same were returned with endorsement "addressee out of station". Mr. S.Chakraborty, learned counsel for the applicant further submits that since the notices, sent from this Tribunal on earlier occasion which were addressed to the respondent Nos. 2 and 4 were returned with the endorsement "refused", Mr. Chakraborty, therefore, submits that the notices on the respondent Nos. 2 and 4 may be treated as served.

On considering the submission made by the learned counsel for the applicant having regard to the materials on record, I find it necessary to direct the applicant to take fresh steps for serving of notices upon the respondent Nos. 2 and 4 by registered post with A/D. Steps be taken immediately.

It may be stated that Mr. N.B.P. Singha, learned counsel for the respondent No.3 submits that the respondent No.3 is not going to object the prayer seeking substitution of legal representatives of the applicant.

List the matter again on 15.05.2017 for further orders.



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

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