

ATTENDANCE-CUM-ORDER SHEET OF HEARING

NATIONAL COMPANY LAW TRIBUNAL
GUWAHATI BENCH

TA No. 22/2016 (corresponding to CA No. 1819/2015)

in

(T.P.No. 19/397/398/GB/2016)

(corresponding to C. P.No. 182 of 2014)

Basudev Bagchi & ors.

- Petitioners

-Versus-

Sashi Kumar Tea Company Pvt. Ltd & ors.

-Respondents

PRESENT

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

Date of order : 24.02.2017

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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TA No. 22/2016 (corresponding to CA No. 1819/2015)

ORDER

This proceeding has been initiated seeking the following reliefs: -

" (a) C.P.No. 182 of 2014 be dismissed;

(b) Stay of all proceedings in C.P. No. 182 of 2014 till disposal of this application;

(c) Ad- interim orders in terms of prayers above ;

(d) Costs of this application be paid by the petitioners;

(e) Such further order or orders be passed and/or direction or directions be given as this Hon'ble Board may deem fit and proper".

It is evident from the reliefs, so prayed for by the applicants/respondents as well as from the averments made in the application that the applicants want the dismissal of the connected company petition alleging that such company petition does not disclose any cause of action. That apart, said proceeding also suffers from various serious legal infirmities requiring the court to dismiss the same in limine.

Such contentions from the side of applicants-respondents were opposed to by the petitioners /non applicant stating that such an application is structured more on fiction than on facts which is why the application is required to be rejected outright.


It may be stated here that the connected company petition was heard at length and the matter is reserved for order. Being so, I am of the considered opinion that the present proceeding has become redundant and same is, accordingly, disposed of.

T.P.No. 19/397/398/GB/2016 (CP No. 182 of 2014)

Both sides are present.

Mr.S.Dowarah, one of the respondents in the present proceeding, (T.P.No. 19/397/398/GB/2016 (CP No. 182 of 2014) has submitted an affidavit stating therein that the order dated 9.2.2017, rendered in MA No. 01/2017 arising out of T.P.No. 19/397/398/GB/2016 (CP No. 182 of 2014) , had been challenged having filed a civil revision petition which was registered as CRP (I/O) No.21/2017 .

Deponent has further submitted that the said CRP (I/O) No. 21/2017 was disposed of rendering some directions to this Tribunal on the subject matter in the present proceeding, vide order dated 22.2.2017 in CRP (I/O) No.21/2017. However, due to paucity of time, the deponent could not obtain certified copy of the order dated 22.02.2017, rendered in the proceeding aforesaid.

 The deponent, therefore, submits this court to adjourn the proceeding for some time. It may be stated here that the present proceeding is fixed today for delivery of order.

However, in view of aforesaid developments, I find it necessary to adjourn the same for some time.

In view of above, the present proceeding stands adjourned till 1st March, 2017.
List the matter on 1st March, 2017.



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

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