

ATTENDANCE-CUM-ORDER SHEET OF HEARING

**NATIONAL COMPANY LAW TRIBUNAL
GUWAHATI BENCH**

T P No 04/397/398/GB/2016
(C P No.994 of 2011)

Kanubhai C. Patel & Ors.

... Petitioners

-Versus-

Doloo Tea Co. (India) Ltd. and Others ... Respondents

Present :

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

Date of hearing: 22nd February 2017.


Name of the Company	Doloo Tea Co. (India) Ltd.		
Under Section	397/398		
Sl. No.	Name & Designation of Authorized Representative (IN CAPITAL LETTERS)	Appearing on behalf of	Signature with date

ORDER

Mr D.N. Sharma, assisted by Mr A. Choudhury, Nirmalya Dasgupta and Mr S.S. Roy, is present for the petitioners. Mr A. Banerjee and Mr R. Mullick represent the respondents.

2. Mr A. Banerjee, learned counsel for the respondents, submits that an appeal has been filed before the National Company Law Appellate Tribunal (NCLAT), New Delhi challenging the order passed by this court on 20.01.2017 in I.A.No.01/2016 and in that connection, it has been stated that the Registry of NCLAT, New Delhi has already started scrutinizing the appeal memo and connected papers. In support of such contention, relevant papers are placed before this court today. Therefore, learned counsel for the respondents, prays that the proceeding be adjourned for some time.

3. This prayer was objected to by the learned counsel for the petitioners stating that since the application has not yet been admitted, therefore, question of adjourning the matter does not arise at all.
4. I have considered the submissions advanced by the learned counsel for the parties having regard to the documents filed. On consideration of the submissions, I reluctantly adjourn this proceeding having regard to the fact that this proceeding was initiated in the year 2011 and same stands adjourned from time to time on various pleas advanced by the parties which entails huge delay in the disposal of the proceeding. It may be stated here that the Companies Act, 2013 mandates that proceedings thereunder are to be disposed of within three months of their institution.
5. In view of the above, list this matter on 22.03.2017.
6. An affidavit has been filed by the petitioners stating that directions rendered by this Tribunal on the last occasion requiring the petitioners to file a composite amendment petition and also requiring the petitioners to supply the same to the respondents without furnishing annexures have already been complied with.


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

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