

①

NATIONAL COMPANY LAW TRIBUNAL
MUMBAI BENCH, MUMBAI

T.C.P No.86/(MAH)/2013

CORAM:

Present:

SHRI M. K. SHRAWAT
MEMBER (J)

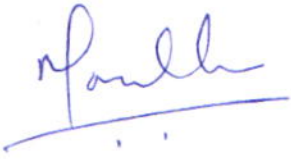
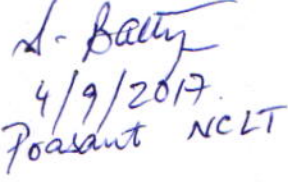
SHRI BHASKARA PANTULA MOHAN
MEMBER (J)

ATTENDENCE-CUM-ORDER SHEET OF THE HEARING OF MUMBAI BENCH OF
THE NATIONAL COMPANY LAW TRIBUNAL ON 04.09.2017

NAME OF THE PARTIES: Shri Sanjay Bathija
V/s.

Prasant Properties & Investment Pvt. Ltd.

SECTION OF THE COMPANIES ACT: 397/398 of the Companies Act 1956
and 241/242 of the Companies Act, 2013.

S. No.	NAME	DESIGNATION	SIGNATURE
01.	Abbas Mondnimala. 1/b Romat Shah & Co.	Advocate for Respondent	
02	Sanjay Bathija	Petitioner	 4/9/2017 Prasant NCLT

ORDER

TCP 86/397-398/NCLT/MB/MAH/2013

1. The Petitioner in person is present. Placed an email letter addressed to the Hon'ble Minister of Corporate Affairs dated 04.09.2017, issued at 11.36 AM, contents as under:-

we

(Contd....2.)

(No folder)

-2-

"Respected Arun Jeitleyji,

As per the attachment, our letter dated 15th November 2016 was addressed to NCLT Mumbai informing them that the certified copy that they had provided was invalid & to provide us with genuine certified copy as well as provide inspection of the records for which DD no 462974 for Rs.400/- was enclosed.

Till date we have neither received a reply nor have we been given inspection of records.

All this mischief is being done to cover up one ipece of evidence in para 5 of Affidavit in reply of Respondent No.1 &3 dated 3rd December, 2012 in CLB petition no.93 of 2011 Sanjay Bathija – Petitioner vs Rookmans Pvt Ltd & Ors – Respondents:-

"With reference to para 2, the Respondents state that it is a matter of fact that the Petitioner is the holder 125 equity shares. Further, the Respondents state that no probate proceedings have been filed till dated in respect of the Will of late Mr. Madanmohan Bathija. Pursuant to the death of Mr. Madanmohan Bathija, his elder son Mr. Pranav Bathija became the Karta of the Madanmohan Bathija HUF."

The respondents stand to lose control of both the companies namely Prasant Properties & Investment Pvt. Ltd. as well Rookmans Pvt. Ltd. should the above evidence be established in court.

There has been no response to our previous communications with MCA & NCLT, hence this address to you.

What recourse does the public have to remedy this situation where justice can be bought for price. Which responsible govt body with integrity are we to approach?"

2. A copy of this letter is handed over to the Learned Counsel of the Respondent and directed to deal with this letter and place on record the events happened in the past and action taken as also the Court Orders, if any.
3. The Respondent has objected the Application on the ground that Petitioner is delaying the process of finalization of the case by such type of frivolous action; hence to be ignored and the Petition be listed for final hearing.
4. However, the Petitioner has stated that it is relevant to argue the matter hence is moving the Application.
5. Considering the submission of the Petitioner, the Respondent is directed to deal with this Application and place on record on the next date of hearing the past history; needless to mention a copy in advance to the other side.



(Contd....3)

-3-

6. Adjourned for final hearing on **09.10.2017**.

Sd/-

BHASKARA PANTULA MOHAN

Member (Judicial)

Sd/-

M.K. SHRAWAT

Member (Judicial)