

**IN THE NATIONAL COMPANY LAW TRIBUNAL
HYDERABAD BENCH : HYDERABAD**

C.A.No.202/2017 in
C.P.No.257/241/HDB/2017
U/S 242(2)(g)(m) of the Companies Act, 2013

In the matter of :

1. Shri Jali Srinivas Reddy
S/o. late J. Raji Reddy
Aged 51 years,
Occ: Whole Time Director
R/o. H.No.1-10-1-216/158&159
Bhagvan Colony,
Chakripuram, Kushaiguda,
Hyderabad – 500 062.
2. Shri Abba Raji Reddy
S/o. late A.Rama Chandra Reddy
Aged 54 years, Occ: Business
R/o. H.No.1-7-43/317/50P
Mahesh Nagar,
Kamala Nagar, Kushaiguda,
Hyderabad – 500 062.
3. Shri Jali Satyanarayana Reddy
S/o. late J. Raji Reddy
Aged 40 years, Occ: Business
R/o. H.No.1-7-43/317/50P
Mahesh Nagar,
Kamala Nagar, Kushaiguda,
Hyderabad – 500 062.

...Applicants / Petitioners

Versus

1. M/s. R.M.C. Packaging Systems Pvt. Ltd.
Regd. Office at : Plot No.101A,
Phase-II, Cherlapally,
Hyderabad – 500 051, Telangana.



2. Shri Abba Malla Reddy
S/o. late A.Rama Chandra Reddy
Aged 65 years,
Occ: Whole Time Director
R/o. H.No.23, Tulasi Gardens,
J.J.Nagar Post, Yapral,
Secunderabad – 500 087.
3. Shri Abba Swati Nandan
S/o. Shri Abba Malla Reddy
Aged 38 years, Occ: Director
R/o. H.No.23, Tulasi Gardens,
J.J.Nagar Post, Yapral,
Secunderabad – 500 087.
4. Shri Anki Reddy Pradeep Reddy
S/o. Shri Anki Reddy Venkatanarayan Reddy
Aged 35 years, Occ: Pvt. Service
R/o. H.No.23, Tulasi Gardens,
J.J.Nagar Post, Yapral,
Secunderabad – 500 087.
5. Shri Enakonda Chandra Reddy
S/o. late E.Papi Reddy
Aged 61 years, Occ: Business
R/o. Plot No.64 & 65,
Mani Enclave,
J.J.Nagar Post, Yapral,
Secunderabad – 500 087.
6. Bank of Maharashtra
Kapra Branch,
2nd Floor, Vertex Pearl Complex,
Srinivas Nagar Colony,
ECIL Road, Kapra,
Hyderabad – 500 062
Rep. by its authorised representative
(R6 is not a necessary party)



7. HDFC Bank
No.94-95,
Nagarjuna Nagar Colony,
Kapra, Kushaiguda,
Hyderabad – 500 062
Rep. by its authorised representative
(R7 is not a necessary party)

... Respondents / Respondents

Date of Order : 5th December, 2017

CORAM:

Hon'ble Shri Rajeswara Rao Vittanala, Member (Judicial)
Hon'ble Shri Ravikumar Duraisamy, Member (Technical)

Counsels Present:



For the Applicants /
Petitioners

: Mr.T.Surya Satish

For the Respondents /
Respondents

: Mr.M.P. Kashyap
Mr.V.B.Raju on behalf of
Mr.V.S.Raju

Per: Rajeswara Rao Vittanala, Member (Judicial)

ORDER

1. The Company Petition bearing No.C.A.No.202 of 2017 in C.P.No.257/241/HDB/2017 is filed by Mr.Jali Srinivas Reddy under section 242(2)(g)(m) of the Company Act, 2013 by inter alia seeking to injunct the 1st Respondent Company from dealing in any manner including the selling, promotion and marketing of the semi-high speed and high speed packaging machines, which are originally and exclusively developed by the Petitioner No.2 under his proprietary concern M/s. Neotech Industries.

2. Heard Mr.T.Surya Satish, Learned Counsel for Petitioner;
Mr.V.B.Raju, Learned Counsel for Respondents.
3. Mr.T.Surya Satish, Learned Counsel for Petitioner submit that while main company petition is pending, the respondent have committed various acts of illegality in reducing applicants to minority. They have also made partnership by using the same know-how and technology which was developed the powder filling, bottle filling, curd bucket filling, other milk products filling machines. Therefore, in order to protect the interest of Petitioner an interim order may be passed, while pending main C.P.
4. Mr.V.B.Raju, Learned Counsel for the Respondent submit that he would file reply within 3 weeks .
5. We have considered all the pleadings of the Petitioner and the Respondent and in order to protect interest of petitioner, the C.A.No.202 of 2017 in C.P.No.257/241/HDB/2017 is disposed of by declaring all actions to be taken by the R1 Company, while C.P. is pending, is subject to final orders to be passed by the Tribunal.



sd/-

RAVIKUMAR DURAISAMY
MEMBER (TECHNICAL)

sd/-

RAJESWARA RAO VITTANALA
MEMBER (JUDICIAL)

for Dy. Regr./Asst. Regr/Court Officer/
National Company Law Tribunal, Hyderabad Bench

प्रमाणित प्रति
CERTIFIED TRUE COPY

केस संख्या
CASE NUMBER C.A.No.202 of 2017 in C.P.No.257/241/HDB/2017
निर्णय का तारीख
DATE OF JUDGEMENT 5.12.2017
प्रति तैयार किया गया तारीख
COPY MADE READY ON 8.1.2018