

**NATIONAL COMPANY LAW TRIBUNAL
GUWAHATI BENCH**

C.P. No.14/2017

Under Section 241, 242 of the Companies Act, 2013

In the matter of:

Mukesh Goel & Ors.

... Petitioners

-Versus-

M/S Goel Marketing & Distribution
Company Ltd. & Ors.

... Respondents

Date of Order: 28th August 2017.

Coram:

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

.....

ORDER

None present for the petitioners. Mr R. Dubey & Ms A.B. Kayastha, learned Advocates are present representing respondent Nos.1-5. Mr D. Gogoi, learned Advocate is present on behalf of respondent No.6. On the last occasion, it was submitted that respondent No.6 will not contest the proceeding vide order dated 04.08.2017.

2. In terms of the order passed by this Tribunal on 04.08.2017, the respondent Nos.1-5 have filed their affidavit-in-opposition within the prescribed time frame supplying simultaneously copies thereof to the petitioners. In that connection, an affidavit has been filed stating that copy of the affidavit-in-opposition has been served on the petitioners.

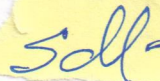
3. This Tribunal, by its order dated 04.08.2017 had directed the petitioners to file their rejoinder, if any, within 7 days from the date of receipt of the affidavit-in-opposition supplying simultaneously copies thereof to the respondent Nos.1-5. It has been submitted that copy of the affidavit-in-opposition had been served on the petitioners through email on 04.08.2017 itself. Registry has also confirmed such a contention from the side of the respondent Nos.1-5.

4. Since copy of the affidavit-in-opposition was served on the petitioners on 04.08.2017 itself, the petitioners should have submitted their rejoinder, if any, within 7 days therefrom i.e. by 11.08.2017. But the Registry has informed that till date no rejoinder has been filed.

5. In view of the above, I am of the opinion that the petitioners are not interested in filing any rejoinder.

6. It may be stated that Mr M. Sukhija, learned Advocate for the petitioners has sent an email today informing this Tribunal that he is not in a position to appear before this Tribunal today because of his father's illness and has accordingly prayed for an adjournment.

7. On hearing the parties, the matter is ordered to be listed for hearing on 13.09.2017.



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

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