

NATIONAL COMPANY LAW TRIBUNAL
GUWAHATI BENCH: GUWAHATI

CP No.14 of 2017

Under Section: 241/242 of the Companies Act, 2013

In the matter of:

Mukesh Goel & Others

... Petitioners

-versus-

Goel Marketing & Distribution Co. Ltd.

... Respondents

Order delivered on 13-09-2017

Coram:

PRESENT

HON'BLE MR. JUSTICE P.K. SAIKIA, MEMBER (JUDICIAL)

For the Petitioners : Mr. Amit Goel, Advocate

For the Respondents No.1 to 5 : Mr. Rakesh Duby, Advocate
Ms. A. B. Kayastha, Advocate

For the Respondent No. 6 : Mr. D. Gogoi, Advocate

ORDER

Mr. A. Goel, learned counsel appearing for the petitioners submits that he is engaged in the present proceeding very recently as well as that he has appeared before this Bench today first time and as such, he needs some accommodation from the Bench to enable him to file rejoinder to the reply of the respondents.

This Bench vide order dated 28-08-2017 held that time was given to the petitioners to file rejoinder within a time frame specified therein but the petitioners did not file the rejoinder in time nor made any prayer seeking extension of time for which this Bench was of the opinion that the petitioners were not interested in filing rejoinder to the reply of the respondents.

However, the learned counsel appearing to day submits that due to some very valid reasons, the petitioners could not file the rejoinder in time and if they are not given an opportunity to file rejoinder, the petitioners would not be able either to prosecute their claims or to defend the allegations brought against them properly. He, therefore, urged the Bench to give one more opportunity to the petitioners to file rejoinder in the interest of justice.

In this connection, the learned counsel Mr. Dubey and Ms. Kayastha appearing for the respondents No.1 to 5, as well as Mr. Gogoi, appearing for the respondent No.6 have stated that they have no objection if the petitioners are given an opportunity to file rejoinder.

Accordingly, on hearing both the parties, the petitioners are given liberty to file appropriate application at the earliest possible opportunity seeking permission to file rejoinder to the reply filed by the respondents.

However, it is made clear here that the pendency of the proceedings would not be a bar in settling the disputes herein amicably.

In view of above, the matter is ordered to be listed for further necessary hearing on 04-10-2017.



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

Deka/13-09-2017