

NATIONAL COMPANY LAW TRIBUNAL
NEW DELHI BENCH

C.P.No. 112 (ND)/ 14

CORAM:

PRESENT: MS. DEEPA KRISHAN
HON'BLE MEMBER(T)

MS. INA MALHOTRA
HON'BLE MEMBER (J)

**ATTENDANCE-CUM-ORDER SHEET OF THE HEARING BEFORE NEW
DELHI BENCH OF THE NATIONAL COMPANY LAW TRIBUNAL ON
16.02.2018**

**NAME OF THE COMPANY: Manisha Anand Vs. Saga a Infosolutions Pvt.
Ltd. &Ors.**

SECTION OF THE COMPANIES ACT: 397/398

S.NO.	NAME	DESIGNATION	REPRESENTATION	SIGNATURE
--------------	-------------	--------------------	-----------------------	------------------

Present: Ms. Ankita Patnaik, Advocate for the Petitioner

ORDER

The grievance of the Petitioner is that in the alleged AGM held on 25.1.2014, the authorised share capital of the company was increased and approved. It is submitted that there was no Board Meeting prior to taking the decision nor any resolution passed. The Petitioner was also not given any notice for the EOGM or the AGM. The Respondent was given opportunity to repudiate these allegations. It goes without saying that the Respondents have failed to substantiate their defence.

The Petitioner further submits that despite her attempt to inspect the records of the Respondent company, no records are being made available to her. Respondents are directed to ensure that no impediment is created in the petitioner's inspection of the records. The Petitioner is not only the Director in the said company but also a 50% shareholder. To scuttle any allegations, it is deemed expedient that the inspection is carried out in the presence of a Local Commissioner.

Accordingly, Mr. Girish Gupta, CA (Mobile No.: 9899904779) is appointed as the Local Commissioner to accompany the petitioner to inspect the records, vouchers, bills and expenses, previous balance sheets etc. and all such records that are statutorily required to be kept in the registered office of the Respondent company. The said inspection shall be carried out on 24.2.2018 at 10 am. The fees of the Local Commissioner is settled as Rs.50,000/-. The same shall be paid by the Petitioner in the first instance to be duly reimbursed to her by the Respondent company within a week. A list of documents required to be inspected shall be emailed to the Respondent or their counsel at least 2 days before the date fixed. The inspection shall be carried out in the presence of the Respondent's representative who shall ensure necessary assistance.

List of documents not made available shall be duly recorded by the Ld. Local Commissioner.

To come up for final arguments on 4.6.2018.

CP 66/2015 is cross petition with CP No. 112/2014 be listed along with the same on 4.6.2018.

-S-d-11

(Deepa Krishan)
Member (T)

-S-d-11

(Ina Malhotra)
Member (J)