

NATIONAL COMPANY LAW TRIBUNAL

GUWAHATI BENCH: GUWAHATI

IA No. 49 of 2017

Dy. No.660 of 2017

IN

CP No.14/241/242/GB/2017

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

In the matter of:

Mukesh Goel & Others

... Applicants/Petitioners

-versus-

Goel Marketing & Distribution Co. Ltd.

... Non-applicants/Respondents

Order delivered on 11-12-2017

Coram:

PRESENT

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

For the Applicants/Petitioners

: Mr. M. Hore, Advocate

For the Non-applicants/Respondents No.1 to 5

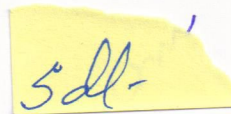
: Mr. Rakesh Dubey, Advocate
Ms. A. B. Kayastha, Advocate

ORDER

Seen the note of the Registry in respect of the above Diary No.660 of 2017. On perusal of the application preferred by the applicants/petitioners, it is found that the applicants/petitioners have prayed for the following relief/s: -

- "i) Reinstatement of the applicants/petitioners No.1 and 2 as the Directors of the Respondent No.1 Company or allow the applicants/petitioners to nominate their nominee directors on the board of the Respondent No.1 Company.
- ii) Direct the Respondents to declare the AGM as null and void and reconvene annual general meeting with the same agenda following the due process of law and appoint a neutral third-party chairperson for the annual general meeting as the shareholders have lost faith in the present chairperson.
- iii) Direct the Respondents to convene a Board Meeting for removal of Respondent No.3 and 4 from the directorship of Respondent No.1 Company."

2. Mr. M. Hore, learned Advocate appearing for and on behalf of the applicants/petitioners is present. Mr. R. Dubey and Ms. A. B. Kayastha, learned Advocates representing the non-applicants/respondents No.1 to 5 are also present.
3. The learned counsel for the non-applicants/respondents No.1 to 5 submit that due to some difficulties they are not in a position to file the reply to the application in time and, therefore, they prayed that they may be given some time to file reply to the application.
4. In that connection, I have also heard the learned counsel for the applicant/petitioners. On hearing the parties, the non-applicant/respondents are directed to submit reply to the Bench within one week simultaneously supplying copy thereof to the applicants/petitioners.
5. On receipt of reply, the applicants/petitioners, if so advised, may file rejoinder within one week therefrom, supplying simultaneously, copy thereof to the Bench and to the non-applicants/respondents as well.
6. The Registry, in the meantime, is directed to take necessary action for registration of Diary No.660 of 2017 as Interlocutory Application.
7. List this matter on 19th January, 2018.



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

Dated, Guwahati the 11th December, 2017
Deka/11-12-2017