

ATTENDANCE-CUM-ORDER SHEET OF HEARING

**NATIONAL COMPANY LAW TRIBUNAL
GUWAHATI BENCH**

C.P. No. 05/97/GB/2017

Angshu Ranjan Chakraborty

... Petitioners

-Versus-

M/S Madarkhat Tea Company Pvt. Ltd. & Ors. ... Respondents

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

Date of hearing: 2nd March 2017.

Name of the Company	M/S Madarkhat Tea Company Pvt. Ltd.
Under Section	97

Sl. No.	Name & Designation of Authorized Representative (IN CAPITAL LETTERS)	Appearing on behalf of	Signature with date
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ORDER

Mr S. Bharali and Mr J. Hazarika, learned counsel for the petitioner are present. Mr G. Rahul and Mr M. Das, learned counsel represent respondent No.1.

2. Learned counsel for the petitioner submits that in terms of the order rendered by this court on 15.02.2017, notice was sent to the ROC, Shillong, respondent No.2, along with the copies of the petition under Section 97 of the Companies Act, 2013 and connected documents annexed with the petition. It has been submitted that all those papers were delivered to the Postal Department for being served on the ROC, Shillong. In support of such facts, an affidavit has also been filed.

3. Perused the affidavit as well as the postal receipt annexed therewith. On perusal of the affidavit, I am of the opinion that the ROC must have received copies of the petitioner aforesaid along with other documents in the meantime. However, the



ROC fails to appear before this court nor does he assign any reason for not appearing before this court today.

4. In the interest of justice, the petitioner is once again directed to take steps in the matter of service of notice on ROC, Shillong intimating him about the pendency of this proceeding. The petitioner is further directed to send a copy of this order as well as a copy of the order dated 15.02.2017 along with a copy of the company petition for information and necessary action from the side of the ROC, Shillong.

5. Mr A. Das, learned counsel and Mr S.K. Baid, PCS are also present in court. They submit that they have filed an I.A. seeking impleadment of the applicant therein in the present proceeding as party respondent. In that connection, they have submitted that the applicant has huge stake in the outcome of the present proceeding.

5. In view of the above, it is ordered that the connected I.A. be also listed along with this proceeding on 24.03.2017 for rendering necessary orders on the application. The applicant is directed to furnish copy of the I.A. and connected papers to the respondents by tomorrow, 03.03.2017, for filing their objection, if any. The applicant may file rejoinder, if any, on the next date without fail.

6. Let the matter be listed on 24.03.2017.



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

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