

NATIONAL COMPANY LAW TRIBUNAL
NEW DELHI BENCH

CP No. 192 (ND)/2017

PRESENT: SMT. INA MALHOTRA
HON'BLE MEMBER (J)

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING BEFORE NEW DELHI BENCH OF THE NATIONAL COMPANY LAW TRIBUNAL ON 16.10.2017.

NAME OF THE COMPANY: Dimple Mahna Vs. M/s Bodysterone Pvt. Ltd. & Ors.

SECTION OF THE COMPANIES ACT: 241/242

S.NO.	NAME	DESIGNATION	REPRESENTATION	SIGNATURE
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For the Petitioner (s) : Ms. Dimple Mahna.

For the Respondent (s) : None

ORDER

Arguments part heard.

Despite service none is present on behalf of the Respondents. They are proceeded ex-parte.

Petitioner has made allegations that her removal as a Director was done on the basis of a forged resignation letter. She has also filed a complaint with the ROC but it appears that they have not taken any steps till date.

Notice to the ROC, Dasti, as to whether any enquiry has been conducted in this case.

It is also submitted by the Petitioner that she is a Promoter Director and has a shareholding of 40% in the Respondent company. There were only two Directors. It appears that Respondent No.2 has inducted his brother as an Additional Director without her consent. She has also made allegations of siphoning off of amounts.

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As per the Petitioner, the Respondents have opened another Bank Account in the name of the Respondent No.1 Company wherein money from the clients have been deposited and withdrawn by them in cash. Under such circumstances, it becomes necessary to verify these allegations. Since the Respondents have chosen not to contest these allegations and are proceeded ex-parte; it is directed that the accounts of the Respondent Company being Current A/c No. 28805004734 with ICICI Bank, Paschim Vihar, New Delhi, and Current A/c No. 35159594367 with State Bank of India, Sector 12, Dwarka, New Delhi, be frozen with respect to any outward remittances with immediate effect.

The Managers of the concerned Banks shall file a certified copy of the Statement of Account since opening of the accounts till the date of service of this order. Dasti.

To come up for final arguments on 17th November, 2017.

-Sd- re

(Ina Malhotra)
Member (J)