

IN THE NATIONAL COMPANY LAW TRIBUNAL, NEW DELHI

PRINCIPAL BENCH

C.P. No. 179/2014

IN THE MATTER OF:

Luxmi Dutt Gupta

.....Petitioner

v.

Registrar of Companies & Anr.

.....Respondents

SECTION : UNDER SECTION 560(6) of the Companies Act

Order delivered on 26.07.2017

Coram:

CHIEF JUSTICE M.M. KUMAR

Hon'ble President

Deepa Krishan

Hon'ble Member (T)

For the Petitioner(s) : Ms. Shloka Rawat, Advocate

**For the Respondent(s) : Ms. Gaganpreet Chawla, Advocate
Shri Manish Rai, Company Prosecutor**

ORDER

This is an application filed under Order 22 Rule 3 CPC on behalf of the applicants namely the Widow Smt. Sandhya Gupta, the Son Mr. Mohit Gupta and the daughter Ms. Monika Agrawal of the deceased Mr. Luxmi Dutt Gupta. The petitioner has expired during the pendency of the proceeding and the death certificate has also been filed showing that the original petitioner, Mr. Luxmi Dutt Gupta died on 19.03.2015. The application is duly supported by the affidavits of all the three survivors named above.



(1)

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contd.

The application has been opposed by the respondent No. 2 by filing a reply and the stand taken is that the right to sue does not survive to the applicants. However, at this stage we do not express any final opinion on the objection but allow the application subject to all just exceptions.

Accordingly, Smt. Sandhya Gupta, the widow, Mr. Mohit Gupta, the son and Ms. Monika Agrawal, the daughter are permitted to be brought on record as the legal heirs of the deceased Mr. Luxmi Dutt Gupta. The application is disposed of in the above terms.

Reply to the main petition be filed within four weeks with a copy in advance to the learned counsel for the other side. Rejoinder, if any, be filed within two weeks thereafter.

Registrar of Companies has already filed the reply which is on record.

List on 22.08.2017.

— Sd —
(CHIEF JUSTICE M.M. KUMAR)
PRESIDENT

— Sd —
(DEEPA KRISHAN)
(MEMBER TECHNICAL)

26.07.2017
Vineet