

NATIONAL COMPANY LAW TRIBUNAL
NEW DELHI BENCH

CP No. 368(ND) 2017

CORAM:

PRESENT: SH. S. K. MOHAPATRA
HON'BLE MEMBER(T)

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 26.10.2017

NAME OF THE COMPANY: Sh. Sanjay Kumar Mittal Vs. Shri Vinod Kumar Sharma & Ors

SECTION OF THE COMPANIES ACT: 241-242

S.NO.	NAME	DESIGNATION	REPRESENTATION	SIGNATURE
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For the Petitioner (s): Counsel for the Petitioner.

For the Respondent (s): Mr. Saurabh Kalia and Mr. Palash Agarwal,
Advocates

ORDER

Notice of the Petition is accepted by the Ld. Counsel for the Respondent. He submits that the complete paper book has not been supplied to him. Ld. Counsel for the Petitioner undertakes to supply the same during the course of the day.

The grievance of the Petitioner in the present case is the illegal appointment of Respondent no. 3 as a Director in the Company without due notice to him and in complete violation of the statutory provisions. It is submitted that the same has been done with the intention of disposing of the fixed asset of the company. It is submitted by the Ld. Counsel for the Petitioner that the decisions were taken without notice to him.

Given the facts and circumstances of the case, it is directed that no decision shall be taken by the Board without any prior notice to the Petitioner.



It is also being directed that any decision taken by the alleged illegally constituted Board shall be sustained or overturned subject to the final outcome of this petition.

Reply be filed by the Respondent.

To come up for final arguments and disposal on 18th December, 2017.

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(S. K. Mohapatra)
Member (T)

A handwritten signature in blue ink, appearing to be 'Ina Malhotra', is written over a yellow rectangular redaction box.

(Ina Malhotra)
Member (J)