

ATTENDANCE-CUM-ORDER SHEET OF HEARING

**NATIONAL COMPANY LAW TRIBUNAL
GUWAHATI BENCH**

TP No.22/397/398/GB/2016 (C.P.No.205/2015)

With

I.A.No.3/2017

I.A.No.2/2016

&

T.A.No.15/2016 (C.A.No.402/2016)

Ram Swaroop Joshi & Ors.

...Petitioners

-Versus-

Buildworth Pvt. Ltd. & Ors.

... Respondents

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

Date of hearing: 9th May 2017.

Name of the Company	Buildworth Pvt. Ltd.		
Under Section	397/398		

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

ORDER

T.A.No.15/2016

1. Heard Mr R. Banerjee, learned Sr. Advocate as well as Mr K. Goswami, Mr R. Sarmah, Ms S.B. Roy and Mr A. Sanoilya, learned Advocates appearing for the applicants/ respondents.
2. Ms M. Hazarika, learned Sr. Advocate and Ms S. Khound, learned Advocate, are present on behalf of the non-applicants/petitioners.
3. In this proceeding, exchange of pleadings is complete.

4. However, in view of the fact that exchange of pleadings in some connected proceedings are not over as yet, the matter is adjourned till 13.07.2017 for hearing.

I.A.No.03/2017

5. Mr R. Banerjee, learned Sr. Advocate as well as Mr K. Goswami, Mr R. Sarmah, Ms S.B. Roy and Mr A. Sandilya, learned Advocates for the applicants/respondents are present.

6. Ms M. Hazarika, learned Sr. Advocate and Ms S. Khound, learned Advocate, are present on behalf of the non-applicants/petitioners.

7. The applicants/respondents have filed the rejoinder to the reply.

8. List the matter for hearing on 13.07.2017.

I.A.No.02/2016

9. Mrs M. Hazarika, learned Sr. Advocate and Ms S. Khound, Advocate are present for the applicants/petitioners.

10. Mrs Hazarika submits that she has received a copy of the reply to the application only recently and, as such, she could not get time to go through the said reply in order to ascertain if a rejoinder is required to be filed to the reply. She, therefore, prays for some time to file rejoinder, if required. The prayer is allowed.

11. The applicants/petitioners are directed to file rejoinder, if any, within 2 weeks from today supplying simultaneously copy thereof to the respondents/non-applicants.

12. List the matter on 13.07.2017.

T.P.No.22/2016

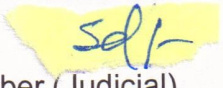
13. Mrs M. Hazarika, learned Sr. Advocate and Ms S. Khound, Advocate are present for the petitioners. On the other hand, Mr R. Banerjee, learned Sr. Advocate as well as Mr K. Goswami, Mr R. Sarmah, Ms S.B. Roy and Mr A. Sanoilya, learned Advocates represent the respondents.

14. In view of the fact that connected applications are fixed on 13.07.2017, this matter is also fixed on 13.07.2017 for hearing.

15. The petitioners have alleged that the respondents did not carry out the directions in the order dated 18.11.2016 (in I.A.No.02/2016) requiring them to furnish the statement of accounts on monthly basis causing huge hardship to the petitioners herein. However, such allegations are denied by the respondents stating that the directions of this Tribunal in the order aforesaid have been carried out in letter and spirit. On hearing both the parties, the respondents are directed to comply with the order passed by this Tribunal on 18.11.2016 without any deviation whatsoever.

16. The learned Sr. Advocate for the petitioners further submits that the respondents be directed to furnish an unaudited statement of accounts to the petitioners immediately. This prayer was, however, objected to by Mr R. Banerjee, learned Sr. Advocate for the respondents stating that auditing of the accounts are in progress and, as such, it may not be possible to furnish the unaudited statement of accounts immediately as claimed by petitioners.

17. On consideration of the submissions, the respondents are directed to furnish an unaudited statement of accounts on or before the next date.


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

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