

**NATIONAL COMPANY LAW TRIBUNAL  
GUWAHATI BENCH**

**C.P. No.14/2017**

Under Section 241, 242 of the Companies Act, 2013

In the matter of:

Mukesh Goel & Ors.

... Petitioners

-Versus-

M/S Goel Marketing & Distribution  
Company Ltd. & Ors.

... Respondents

**Date of Order: 4<sup>th</sup> August 2017.**

**Coram:**

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

For the petitioner:

Mr R. Dubey, Advocate &  
Ms A.B. Kayastha, Advocate

For the respondents:

Mr D. Gogoi, Advocate for R6

.....

**ORDER**

I.A.No.34/2017

Mr R. Dubey and Ms A.B. Kayastha, learned Advocates are present for respondent Nos.1-5. Mr D. Gogoi, learned Advocate represents respondent No.6.

2. There is no representation on behalf of the petitioners. However, Mr M. Sukhija, learned Advocate for the petitioner has sent an email praying for adjournment of the case.

3. This application has been filed by respondent Nos.1-5 seeking extension of time from 21.07.2017 till today for filing their reply. In that connection, it has also been submitted that the reply to the petition has already been prepared and is ready for being filed.

4. Mr R. Duby, learned counsel for respondent Nos.1-5 submits that for some very compelling reasons, respondent Nos.1-5 were not in a position to file the reply to the petition within the time fixed by this Tribunal under its order rendered on 30.06.2017. One of such grounds is that the mother of one of the respondents was critically ill and, therefore, said respondent could not assist the learned Advocate in preparing the reply. This apart, some documents, having huge implication in the present proceeding could not be collected despite making best efforts from the side of the respondent Nos.1-5.

5. On consideration of all aspects of the matter having regard to the submissions advanced, I am of the opinion that the application seeking extension of time needs to be allowed and the respondent Nos.1-5 be allowed to file their reply which they have already presented in the Registry of this Tribunal.

6. Accordingly, time for filing reply is extended and the reply is accepted.

7. The I.A. accordingly stands disposed of.

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8. Mr M. Sukhija, learned Advocate for the petitioner could not appear before this Tribunal for some compelling reasons and has sent an email praying for adjournment. He has further stated that he has not received as yet the reply submitted by the respondents.

9. It may be stated that the respondent Nos.1-5 have filed their reply today and the same has been accepted by this Tribunal. Copies of the same should be supplied to the petitioner for his doing the needful.

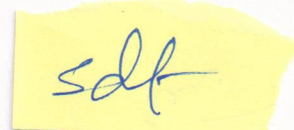
10. The respondents are also directed to send copy of the reply to the petitioner through the email of the engaged Advocate as well as by registered post.



11. The petitioners shall file their rejoinder, if any, within 7 days from the date of receipt of the reply supplying simultaneously copy of the rejoinder to the respondents. If the respondents, so desire, they may file their sur rejoinder within 5 days of the receipt of the rejoinder.

12. Mr D. Gogoi, learned Advocate for respondent No.6 submits that since there are no allegations made against respondent No.6, said respondent would not file any reply to the petition.

13. List this matter on 28.08.2017.



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

nkm