

**NATIONAL COMPANY LAW TRIBUNAL  
KOLKATA BENCH  
KOLKATA**

C.P.No. 27/2016

Present: 1. Hon'ble Member (J) Shri Vijai Pratap Singh  
2. Hon'ble Member (T) Shri S. Vijayaraghavan

**ATTENDANCE-CUM-ORDER SHEET OF THE HEARING ON 16<sup>th</sup> May, 2017, 10.30 A.M**

Name of the Company	Sajan Kumar Bhagat HUF & Ors. -Versus- Lotus Homes .Ltd. & Ors		
Under Section	<b>241/242</b>		
Sl. No.	Name & Designation of Authorized Representative (IN CAPITAL LETTERS)	Appearing on behalf of	Signature with date

1. CS. SANJAY KUMAR GUPTA  
(FCS)

2. CS. ROHIT KUMAR KESHRI  
(PCS)

Respondents

*[Signature]*  
16/05/2017

Rohit Keshri  
16.05.17

1. Ratnanko Banerji, Sr Adv  
2. Gaurav Khanna, Adv  
3. Anubhav Sinha, Adv  
4. Nirmalya Desgupta, Adv  
5. Shounak Mitra, Adv  
6. Priyanka Basu, Adv

for  
petitions

G. Khanna  
Adv.  
16.5.17

P.T.O.

16/05/2017 – CP No. 27/2016 [IA 102/2017] – Lotus Homes

**ORDER**

Ld. Counsels for the petitioners and the respondent are present.

It appears from the record that on 1<sup>st</sup> May 2017 petitioner was granted time to file rejoinder on 2<sup>nd</sup> May, 2017. But it has been filed on 09/05/2017 without seeking leave of the Court. Petitioner is in default in filing the rejoinder. Rejoinder is taken on record subject to payment of cost of Rs.3,000/-, which is payable to the State Legal Service Authority, West Bengal. Ld. Pr., CS for the respondents made a request that his objection may be noted in this respect, because non-filing of rejoinder in time is in violation of NCLT Rules. Ld. Pr. CS for the respondents has pointed out that petitioner has served copy of the reply to the demurrer application on 8<sup>th</sup> May, 2017, but it is unsigned and without bearing any stamp of Notary Public. Ld. Pr. CS for the respondent also pressed that as per NCLT Rules petitioner is to serve exact copy of the reply which he has filed in the Court.

Without going into merit of the case we hereby order the petitioner to supply exact copy of the reply within three days to the

21



respondents. Thereafter respondents may <sup>re</sup>~~re~~joinder within <sup>2</sup> seven days.

List the matter on 18/07/2017 for further order.

<sup>sd/-</sup>  
(S. Vijayaraghavan)  
Member (T)

<sup>sd/-</sup>  
(Vijai Pratap Singh)  
Member (J)