

**IN THE NATIONAL COMPANY LAW TRIBUNAL, NEW DELHI**  
**PRINCIPAL BENCH**

C.P. No. 1251/2016

**IN THE MATTER OF:**

Brian Lau .....Petitioner

v.

S 3 Electrical and Electronics Pvt. Ltd. ....Respondent

**SECTION : UNDER SECTION 433(e), 434(1)(a) of the Companies Act**

**Order delivered on 08.08.2017**

**Coram:**

**CHIEF JUSTICE M.M. KUMAR**  
**Hon'ble President**

**Deepa Krishan**  
**Hon'ble Member (T)**

**For the Petitioner(s) : Shri Raghunatha Sethupathy, Advocate**

**For the Respondent(s) : Shri Navneet Kumar Jain, Interim Resolution Professional**

**ORDER**

The order dated 28.06.2017 admitting the petition was challenged in Company Appeal No. 104/2017 by the respondent before the National Company Law Appellate Tribunal. The appeal has been accepted and the aforesaid order has been set aside.


In view of the order passed by the National Company Law Appellate Tribunal in aforesaid Company Appeal No. 104/2017, the application i.e. C.A. No. 228(PB)2017 filed with a prayer to accept on record the memorandum of understanding dated 28.07.2017 executed between the parties to C.P. No.

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1251/2016 and another application i.e. C.A. No. 226(PB)/2017 would not survive for adjudication before this Bench and accordingly the same are dismissed as infructuous.

  
**(CHIEF JUSTICE M.M. KUMAR)**  
**PRESIDENT**

  
**(DEEPA KRISHAN)**  
**(MEMBER TECHNICAL)**

08.08.2017

Vineet