

**NATIONAL COMPANY LAW TRIBUNAL
GUWAHATI BENCH**

IA No. 38 of 2017

Diary No.586/2017

In

T.P.No.1/2016(C.P.No.619/2010)

Under Section 397/398 of the Companies Act, 1956

In the matter of:

Asharam Leasing & Finance Pvt. Ltd. & Others. ...Petitioners

-Versus-

Doloo Tea Co. (I) Ltd. and Others ... Respondents

Coram:

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

.....

ORDER

Date of Order: 15th September 2017

In view of order rendered in Diary No.587/2017 on 15.09.2017 as well as order in Diary No.585/2017 on 15.09.2017, this proceeding is taken up for consideration.

2. Mr S.K. Medhi, learned Sr. Advocate, assisted by Ms J. Tripathi & Mr S.G. Bhattacharjee, learned Advocates, is present representing the applicant in this application. Mr A. Banerjee & Mr R. Mullick, learned Advocates are present representing the respondent No.1 company.

3. This application has been filed by M/s Prithvi Tea Company Pvt. Ltd. (hereinafter referred to as the applicant) praying for substitution of the legal heirs of

respondent No.8. The names of the legal heirs of respondent No.8 are given in para 3 of the application. For ready reference, para 3 of the application is reproduced below:

"At the time of his death, he died leaving behind him surviving the following legal heirs as more fully set out hereinbelow: -

- a. Mrs Krishanu Chakraborty, Wife of the deceased
- b. Mr Mainak Chakraborty, son of the deceased."


4. In that connection, I have also heard Mr R. Banerjee, learned Advocate for non-applicant/respondent No.1 company.

5. The learned Advocate for the applicant submits that copies of the application have been furnished to all the respondents. Mr R. Banerjee, learned Advocate for the non-applicant/respondent No.1, submits that the non-applicant/respondent No.1 has no objection in allowing the legal representatives of respondent No.8 being substituted in his place. There is, however, no response from the other respondents. Therefore, it is presumed that the other respondents have no objection.

6. In view of the above, the prayer for substitution is allowed.

7. The application stands disposed of.

8. Registry is directed to do the needful in amending the connected company petition.


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

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