

IN THE NATIONAL COMPANY LAW TRIBUNAL, NEW DELHI

PRINCIPAL BENCH

CP-273(ND)/2017

IN THE MATTER OF:

Casino Hotels Unit of CGH Earth
Pvt. Ltd.

.... Applicant/petitioner

Vs.

The Federation of Hotels &
Restaurants Association of India & Ors.

.... Respondents

Order under Sections 241,242 & 244 of the Companies Act

Order delivered on 17.01.2018

Coram:

**CHIEF JUSTICE (Retd.) M.M.KUMAR
Hon'ble President**

**Sh. S.K. Mohapatra,
Hon'ble Member (T)**

For the Applicant/petitioner : Ms. Sudipa Das Gupta, Adv.
For the Respondent : Mr. Virender Ganda, Sr. Adv.
Ms. Shelly Khanna, Ms. Aastha Trivedi,
Ms. Raveena Rai, Advs. for R-1
Mr. Viksit Arora, Adv. for
R-9,11,16,17,18,20

ORDER

Mr. Ganda, learned Senior Counsel has raised a preliminary objection to the maintainability of the petition by arguing that out of approximately 4000 shareholders, only two of them have filed present petition. According to Mr. Ganda, requirement of Section 244 has not been met and even notice to the waiver application has not been issued. On the other hand, learned Counsel for the petitioner submits that rejoinder would be necessary to controvert the averments made in the reply.



Keeping in view the aforesaid, we grant two weeks' time to file rejoinder with a copy in advance to the Counsel for the respondent.

Let notice of waiver application be issued to the non-applicant-respondent for 13th February, 2018.

List the matter on 13th February, 2018.

Sd/-

(M.M.KUMAR)
PRESIDENT

Sd/-

(S.K. MOHAPATRA)
MEMBER(TECHNICAL)

17.01.2018
V.Sethi