

NATIONAL COMPANY LAW TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

C.P NO. 12(ND)/2016
CA NO.

CORAM:

PRESENT: CHIEF JUSTICE M. M. KUMAR
Hon'ble President

SH. R.VARADHARAJAN
Hon'ble Member (J)

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING OF PRINCIPAL BENCH OF THE
NATIONAL COMPANY LAW TRIBUNAL ON 23.03.2017

NAME OF THE COMPANY: Mr. Gajendra Singh Panwar & Anr.
Vs
M/s. Girivar Hotel & Resort Pvt. Ltd. & Ors.

SECTION OF THE COMPANIES ACT: 397/398

S.NO.	NAME	DESIGNATION	REPRESENTATION	SIGNATURE
1.	MR. ARUN SAXENA	ADV	} Petitioners	Nalini
2.	MS. NALINI	ADV		

ORDER

This is an application with a prayer to stay the Resolution passed in the meeting held on 04.3.2017 on the grounds that there was no quorum available to continue the same.

According to the Learned Counsel for the applicant, the quorum for the meeting is three Directors whereas two of the Directors as per the e-mail dated 08.3.2017 sent by respondent have left the meeting before the Agenda could be taken up. It was thereafter that various Resolutions as per the Agenda were passed. Ms. Saloni Nagolia, Ld. Counsel for the respondent/non-applicant, accepts notice of the application on behalf of all the respondents and has submitted that no precipitated action will be taken up on the basis of resolution passed on 04.03.2017. However, she seeks and is granted permission to







proceed with the Resolution concerning the personal property of one of the Director, Mr. Arvind Singh Chauhan, who has furnished collateral security of his personal property and is facing proceedings under Section 13 (4) of (The Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (SARFAESI) and she also requests for some time to file the reply.

Let the reply to the application be filed with a copy in advance to the Ld. Counsel for the petitioner - applicant.

Rejoinder, if any, be filed within a week thereafter.

The application to come up for hearing with the main case which is listed for hearing on 11.4.2017.

In the meanwhile, the Resolution passed on 04.3.2017 shall remain STAYED except the one dealing with the property of Mr. Arvind Singh Chauhan with the regard to handing over possession as it is his individual property.

List on 11.4.2017.

SD/-
(CHIEF JUSTICE M.M. KUMAR)
PRESIDENT

SD/-
(R. VARADHARAJAN)
MEMBER (JUDICIAL)

Surjit
23.3.2017