

**NATIONAL COMPANY LAW TRIBUNAL
KOLKATA BENCH
KOLKATA**

C.P. No. 59 /2013

CORAM: 1. Hon'ble Member (J) Ms. Manorama Kumari

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING ON 29th March, 2017, 10.30 A.M

Name of the Company		Ornate Life Style Pvt.Ltd. -Versus- Gillanders Properties Pvt. Ltd. & Ors	
Under Section		397/398	
Sl. No.	Name & Designation of Authorized Representative (IN CAPITAL LETTERS)	Appearing on behalf of	Signature with date

1. Mr. Reetobroto Mitra, Adv
2. Mr. Lokenath Chatterjee, Adv
3. Mr. Saubhik chowdhury, Adv
4. Ms. Aritra chakrabarty, Adv
5. Ms. Garima Singh, Adv

Respondent
No. 1 to 4

Asingh
29/03/17

1. Mrs. Manju Agarwal, Adv
2. Mr. Bajrang Manot, Adv
3. Ms. Barkha Kumari, Adv

For the
Petitioner.

Barkha Kumari
29/03/2017.

(S.No.3) 29 03 17 - CP 59/2013 - Ornate Life Style Pvt. Ltd. Vs. Gillanders Properties Pvt. Ltd. & Ors.

ORDER

Ld. Lawyers appearing on behalf of the petitioner(s) as well as on behalf of the respondent(s) are present.

Ld. Lawyer appearing on behalf of the petitioner(s) submitted that she is not pressing for CA No.585/2014. In view of that, the CA stands dismissed as not pressed.

The petitioner has concluded his arguments along with the citations. The respondent has to argue the matter but meanwhile respondent has produced share transfer forms, in original, which he has obtained after giving an undertaking in the Chief Metropolitan Magistrate's Court where these documents were lying in connection with a complaint case. Now the Ld. Lawyer of the respondent as well as petitioner desires to send the same to the Central Forensic Science Laboratory for getting expert opinion from handwriting expert.

Heard; prayer for obtaining expert opinion on handwriting/signature is allowed.

Along with the four share transfer forms, a letter dated 22.03.2013 is also produced by them containing/showing the signature of director as "Bijay Bothra" which are also required to be sent along with share transfer forms for examination.

: 2 :

Since share transfer forms has been obtained from CJM's Court upon giving an undertaking, the same will be returned as soon as expert opinion obtained from the Central Forensic Science Laboratory.

The Petitioner volunteers himself to give specimen signature in the court, so that the same can be sent to the Central Forensic Science Laboratory for comparison with the signature appearing in the 4 Nos. of share transfer forms (which are Questioned Documents – 4 Nos.), one MOU containing the signature of Vijay Bothra (3 Admitted documents) and admitted specimen signature verified by the Bank Authority (CITI Bank) Kolkata, along with acknowledgement of Income Tax Return for the assessment year 2001 to 2002. Accordingly, specimen signature/writing of petitioner Shri Vijay Bothra is taken in 6 sheets/pages.

The petitioner is asked to pay a sum of Rs.5,000/- (Rupees Five Thousands only) within 2 days for utilising the service of Government Examiner for verifying the documents by way of Demand Draft drawn in favour of Pay & Accounts Officer, DCPW, MHA, Government of India, New Delhi,.

The petitioner is also hereby directed to deposit another Rs.1000/-in cash in the Registry towards special messenger cost for sending and bringing the documents from the Central Forensic Science Laboratory.

Fixed on 21.04.2017.

Sd/-

MANORAMA KUMARI
MEMBER(J)