

NATIONAL COMPANY LAW TRIBUNAL
NEW DELHI BENCH
NEW DELHI

C. P. NO. 01/56/2015
CA. NO.

CORAM:



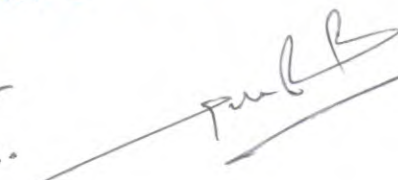

PRESENT: SH. S.K. MOHAPATRA
HON'BLE MEMBER (T)

SMT. INA MALHOTRA
HON'BLE MEMBER (J)

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING OF NEW DELHI BENCH OF THE NATIONAL COMPANY LAW TRIBUNAL ON 29.03.2017

NAME OF THE COMPANY: M/s. Prudent Enterprises Pvt. Ltd. & ors. V/s. M/s. Piptel Communications Pvt. Ltd. & ors.

SECTION OF THE COMPANIES ACT: 56

<u>S.NO.</u>	<u>NAME</u>	<u>DESIGNATION</u>	<u>REPRESENTATION</u>	<u>SIGNATURE</u>
1	Mr. AKHIL ANAND	Advocate	} → R 8	
2	Mr. SIDDHARTH AGRAWAL	Advocate		
3	Ms. VASUNDHRA BHARDWAJ	ADVOCATE PROPOSED RESPONDENT-6		
4.	MR. PRASHANT MEHTA MR. GAURAV MALIK	} →	Counsel for Respondant Nos. 1, 4 & 5	
5.	Mr. Subrahmanyam BKV			
6.	Ms. Hasiom Sharma	} →	Adv for Petitioner A.R for Petitioner Co.	

P.T.O

Order

The petitioner's application for amendment of the main petition along with his application for impleading proposed respondent no. 6 is being taken up for consideration. After going through the various amendment prayed for, we find that there is no legal impediment in permitting the same as the amendments are more by way of clarification and elucidating of facts. The petitioner has not set up any new case but seeks to elaborate certain facts which have come to his notice after the respondents have filed their reply. It is argued that these facts go to the root of the matter.

Though the Ld. Counsel for Respondents vehemently opposes the application and submits that the paragraphs sought to be incorporated only cause confusion, we are of the opinion that the addition of the paragraphs shall elucidate the averments already made.

The law on the point of amendments is liberal and in the present case may be necessary for a proper for adjudication of the case. This application is therefore allowed subject to payment of Rs. 25000 as costs to be deposited in the Prime Minister relief fund.

The amended petition along with the amended memo of parties is stated to have been filed. Reply to the amended petition be filed by the respondents within 4 weeks.

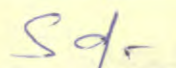
Learned counsel for proposed respondent no. 6 has objected to being impleaded on the grounds that she was non-executing director and never participated in the affairs of the company. She however admits that she ratified the forfeiture of the petitioner's shares.

Be that as it may under such circumstances respondent no.6 would be a proper party to lis . Learned Counsel for respondent no. 6 submits that she has still not received the copy of the amended application. The same has been supplied to her in due course of the day.

An application has also been filed by respondent no. 8 for deletion of his name from array of parties. The same can be considered in the light of the replies filed.

Application for amendment C.A.77 of 2016 and C.A.78 of 2016 stand disposed off. List on 21st July 2017.


(S. K. MOHAPATRA)
MEMBER (TECHNICAL)


(INA MALHOTRA)
MEMBER (JUDICIAL)