

NATIONAL COMPANY LAW TRIBUNAL
MUMBAI BENCH, MUMBAI

T.C.P No.08/(MAH)/2017
CA No.

CORAM:

Present: SHRI M. K. SHRAWAT
MEMBER (J)


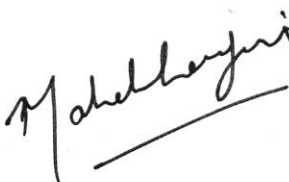
ATTENDANCE-CUM-ORDER SHEET OF THE HEARING OF MUMBAI BENCH OF
THE NATIONAL COMPANY LAW TRIBUNAL ON 02.05.2017

NAME OF THE PARTIES: Mr. James Martin Pereira & ors.

V/s.

M/s. Promas Engineers Pvt. Ltd. & Ors.

SECTION OF THE COMPANIES ACT: 241/242 of the Companies Act, 2013.

S. No.	NAME	DESIGNATION	SIGNATURE
1	BIJAL K RAJMOD	ADVOCATE	
2	VAISHALI SUAN	ADVOCATE	
3	KARL F TANBOLY	ADVOCATE	
4.	NIRUPAMA KAR	Advocate for Petitioners.	
5.	HARA P. KAR.		
6.	ANNIE ARYA		

ORDER

T.C.P. No. 08/241-242/NCLT/MB/MAH/2017

1. The Learned Representatives of both the sides are present.
2. Although the matter was listed for Final Hearing today, but after hearing for some time it was found that one of the relief sought by the Petitioner is as per Clause 8 :
 - (a) That directing the Respondent Nos. 1 to 4 to purchase the Shares of the Petitioner held in Respondent No.1 at the fair price.
3. After the discussion, a possibility is that if the shares are valued at fair market price then the dispute between the parties can be resolved subject to the other reliefs claimed in the Petition.

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4. For this purpose both the parties have agreed to appoint an Independent Auditor who can assess the fair Market Value of the shares as per the Panel List of Auditors. Smt. Sunita Bhandari, Chartered Accountant, 203, Kukreja Crystal, Plot No. 79-A to 81-A, Sector 14, Koparkhairane, Navi Mumbai-400 009. Mobile 9324012313, email-casunita@gmail.com, and in case of non-availability alternatively, M/s Dagdulal K. Jain and Company, Chartered Accountants, ST-1/F-20, 1st Floor, Flowervalley Complex, Eastern Express-way, Thane (West), Pin.400 601. Telephone No. 25476077, Mobile 9819241881/9833570788, email-cadkjain.co@gmail.com is hereby appointed with the directions that the Valuation Report shall be completed on or before before 25th May, 2017.
5. The Respondent No.1 is directed to furnish the copies of the balance sheet and other details as per the demand of the appointed Valuer. The Valuation of the shares is directed to be finalized on the basis of the last balance sheet drawn as on 31.03.2017.
6. That during this period it is suggested that the parties being closely related to each other should try to arrive at an amicable settlement out of Court.
7. The expenses of the Auditor shall be borne by R-1. In case of difficulty through a Praecipe the indulgence of the Bench can be requested.
8. By consent of both the sides the Petition is now listed for hearing **on 22nd June, 2017.**

Sd/-

M.K. Shrawat
Member (Judicial)

Dated: 02.05.2017