

National Company Law Tribunal

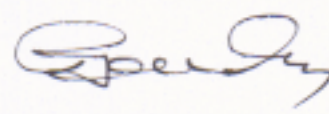

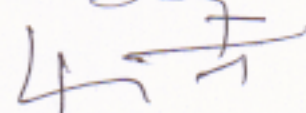
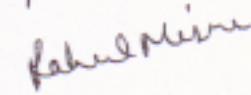
Allahabad Bench

CP NO. 101/ND/2015

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING OF ALLAHABAD BENCH OF THE NATIONAL COMPANY LAW TRIBUNAL ON 29.05.2017

NAME OF THE COMPANY: R.R. Infrapromoters Pvt. Ltd

SECTION OF THE COMPANIES ACT: U/S 397/398 of Companies Act of 1956.

<u>Sl. NO.</u>	<u>Name</u>	<u>Designation</u>	<u>Representation</u>	<u>Signature</u>
1.	Rakesh Pandey	adv.	Respondent	
2. —	Anil K. Tiwari	Advocate	petitioner/respondent	
3. —	Rejendra Singh	Respondent/petitioner		
4. —	Rahul Mishra			

Order Dated 29.05.2017

CP No. 101/ND/2015 : Rajendra Singh vs R.R Infrapromoters Pvt. Ltd.

Shri Rakesh Pandey appeared for Respondent and Shri Anil Kumar Tiwari for petitioner.

Since both the Counsels have filed an affidavits tendering an unconditional apology on behalf of the parties for alleged contempt /breach of status quo order as passed by erstwhile Company Law Board.

The Respondent Shri Rejendra Singh present in person submitted that he did not intentionally take any step to violate the status quo order of Hon'ble Company Law Board nor he did anything which can be treated to have caused any loss to the Property in question of the Respondent Company.

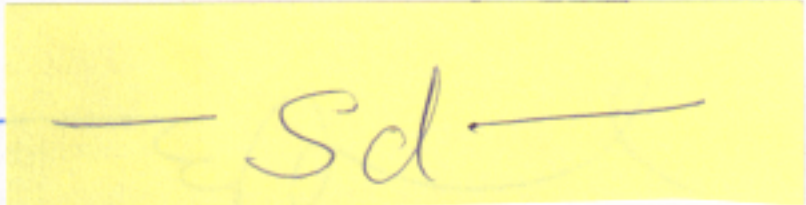
Equally on the other side Shri Rahul Mishra who had filed the present application complaining breach of status quo order of the Hon'ble Company Law Board has explained about making of Complaint that he made such complaint on information received from the Security guard of the Company, which later, on verification found to be wrong. In fact, the Respondent have not violated the status quo order and respondent's efforts only to remove their personal

belongings lying in the Premises of the Company and the guard misunderstood the same and reported that the assets of the Company were being removed. Hence such explanation.

In the present matter the main Company Petition stands already disposed as settled out of the Court. Hence without going in details of the controversy of the Case we feel that the unconditional apology tendered by both the Respondent appears to be bona fide.

However, we are not impressed with the explanation given by the complainant for seeking withdrawal of the Contempt Application and even if explanation found to be true, the application ought to have been filed with abundant caution. Hence, the withdrawal of the alleged breach application is permitted with a cost of Rs. 10,000/- payable to the Lucknow Bench of Hon'ble High Court Judicature at Allahabad by Shri Rahul Mishra within 4 weeks from receipt of the copy of this order and proof of the same should be filed before this Tribunal.

CA No.2/2016, accordingly stands disposed of.


H.P. CHATURVEDI, MEMBER-JUDICIAL

Dated 29.05.2017