

NATIONAL COMPANY LAW TRIBUNAL
KOLKATA BENCH
KOLKATA

C.P.No.38/KB/2016

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

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING ON 26th April, 2017, 10.30 A.M

Name of the Company	Shabbir Ahmad & Ors. -Versus- Safedabad Cold Storage & Allied Industries 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. N. DASGUPTA, ADV.

2) MR. A. MISRA, ADV.

Respondent no. 4.

1. Mr. Subhojit Saha, Advocate

2. S. M. Gupta, FCS

Respondents
no. 1 to 3

Supte
26/4/17

1. Mr. Shaunak Mitra, Adv

2. Mrs. Arunima Lala Sengupta, Adv

3. Mr. Debjani Chatterjee, Adv

4. Mr. Roshan Sengupta, Adv

For
the Petitioners.

Chatterjee
26.4.17

ORDER

The Ld. Lawyer on behalf of the petitioner as well as on behalf of the Respondent Nos. 1 to 3 are present.

The case is fixed for final hearing but the Respondent(s) are praying time on the ground that they have preferred an appeal before the NCLAT against the impugned order dated 01-03-2017.

On perusal of the record, it is found that the respondent(s) have not filed their reply even after giving sufficient time to them. Now, again they are praying time on the plea that they have preferred appeal. It appears that on the garb of this or the other pretext, the respondent(s) are avoiding to file the reply.

However, there is no such rules so as to establish that if there is any appeal pending or the party is going to file any appeal, they are not supposed to give any reply.

On perusal of the record, the matter is proceeding x parte and on their prayer it is vacated to enable them to file their reply and defend their case. But even then, they have failed to file the reply. As a last chance, they are allowed to file the reply within 7 days with a cost of Rs.25,000/- (Rupees Twenty five thousand only) to be paid to the Central Army Welfare Fund.

The interim order, passed earlier, if any, be extended till the next date.

Fixing 08-05-2017.



MANORAMA KUMARI
MEMBER(J)