

NATIONAL COMPANY LAW TRIBUNAL
MUMBAI BENCH, MUMBAI

T.C.P No.12/(MAH)/1998
CA No.

CORAM:

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

ATTENDENCE-CUM-ORDER SHEET OF THE HEARING OF MUMBAI BENCH OF
THE NATIONAL COMPANY LAW TRIBUNAL ON 06.03.2017

NAME OF THE PARTIES: Shri Vinod Kumar
V/s.
M/s. Sigmalon Equipments Pvt. Ltd.

SECTION OF THE COMPANIES ACT: 397/398 of the Companies Act 1956
and 241/242 of the Companies Act, 2013.

S. No.	NAME	DESIGNATION	SIGNATURE
1	VINOD KUMAR	PETITIONER IN PERSON	
2.	MR. BOMI PATEL a/w MS. POORVA GARG a/w MR. PARIKSHIT BARPUJARI a/b MULCA & MULLA & CRAIGIE BLUNT & CARE	ADVOCATES FOR RESPONDENT	

ORDER

C.A. 39/2009 IN T.C.P. NO. 12/397, 398/NCLT/MB/1998

1. Heard the rival parties at some length and thereafter gave certain directions so that the issue pending since long can be decided.
2. From the side of Petitioner, objection to valuation has been placed on record today. Copy served to the other side in the Court.

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3. A Valuation Report dated 27.06.2016 is on record. The Petitioner as well as the Respondents shall be heard on the correctness of the said valuation ~~dated~~ dated 27th June, 2016 and the objections already filed by the Petitioner today.

4. On the issue of the salary and remuneration, vide an Order of 15th October, 2015 the Hon'ble High Court has set aside the Order of CLB dated 26th March, 2014. In that Order of the CLB dated 26th March, 2014, the finding was as follows:-

"37. Based on the above discussions, the findings are as follows:-

a. It is declared that the Petitioner was getting Rs.2,40,000/- p.a. as his salary prior to 1/10/1999. Accordingly, the Petitioner shall be paid the arrears of salary by the Respondents in terms of the order passed by the Board w.e.f. 1/10/1999."

5. Since the matter has been set aside by the Hon'ble High Court in respect of CLB order dated 26th March, 2014, the Respondents shall file their objection, if any, side-by-side in respect of the claim of salary and remuneration of the Petitioner. The Petitioner is also directed to file his claim in respect of salary and remuneration. The Respondents can also file their objections, if any, pertaining to the issue of salary and remuneration.

6. The matter is now posted for hearing on **18th April, 2017**.

Sd/-

Dated: 06.03.2017

Shri M.K. Shrawat

Member (Judicial)