

**BEFORE THE NATIONAL COMPANY LAW TRIBUNAL
BENGALURU BENCH**

T.P.NO. 79/2016

IN

I.A. 07/2016

(CP NO. 71/2015)

***PRESENT: SHRI RATAKONDA MURALI, MEMBER JUDICIAL
SHRI. ASHOK KUMAR MISHRA, MEMBER TECHNICAL***

**IN THE MATTER OF THE COMPANIES ACT, 1956
SECTION 235, 397/398 OF THE COMPANIES ACT, 1956
AND UNDER SECTION 59 OF THE COMPANIES ACT, 2013.**

AND

IN THE MATTER OF S.JAYAVIKRAM & 3 OTHERS

Vs

M/s SORAKE CHANDRA SHEKAR HOSPITALS PRIVATE LIMITED


PARTIES PRESENTED: 1) Sri A.M.Sridharan, Practicing Company Secretary for the Petitioners.
2) Sri A.Murali, J.Sagar Associates, Counsel for Respt. Nos.1 to 6


INTERIM ORDER

This Interlocutory Application is moved today by serving notice on other side. The Counsel for Petitioner is present and Counsel for Respondent Nos. 1 to 6 is also present. The Counsel for Petitioner pleaded for urgency in the matter and to pass interim order over the relief prayed in the petition. Counsel for Respondents requested time for filing objection to the interlocutory petition. On the other hand, the Counsel for petitioner urged that, the Annual General Meeting is scheduled to be held on 24/09/2016 i.e., tomorrow and requested the Tribunal to pass interim order over the reliefs prayed.

We have heard the Counsel for Petitioner and also Counsel for Respondents. We have decided to pass interim order over the 3rd relief. Since the Counsel for Petitioner is contending that Petitioner is challenging in the main petition over the allotments of 21000 Equity Shares in favour of Respondent No.2

and Annual General Meeting is likely to take a decision to declare dividend to the Share Holders. Pending enquiry in the Interlocutory Application and also filing of objection by the Respondents Interim order over 3rd relief is passed namely if Dividend is declared in the Annual General Meeting to be held on 24/09/2016, the Dividend payable for on 21000 Equity Shares of R2, be kept in separate account to be opened by the Company until further orders. To this extent, the interim order is passed with reference to the Annual General Meeting scheduled to be held 24/09/2016. The Counsel for Respondents is directed to file objections if any within two weeks and to serve on Petitioner Counsel and the Counsel for Petitioner is to file rejoinder if any within one week thereafter post on 24/10/2016.


(RATAKONDA MURALI)
MEMBER, JUDICIAL


(ASHOK KUMAR MISHRA)
MEMBER, TECHNICAL

DATED THIS THE 23rd DAY OF SEPTEMBER 2016