

**NATIONAL COMPANY LAW TRIBUNAL
KOLKATA BENCH
KOLKATA**

C.P. No. 426/2010

**Present: Ms. Manorama Kumari
Hon'ble Member (J)**

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING ON 08th August, 2016, 10.30 A.M

Name of the Company		Supriya Das & Ors. -Versus- Sova Tea Company 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. Jayanta Kumar Mitra, Sr. Adv. }
 2. Mr. P. K. Ray, Advocate }
 3. Mr. Dipak Chakrabarty, Advocate }
 4. Mr. Soumi Kumar Dasgupta, Advocate }
 5. Mr. Tishnu Chowdhury, Advocate }
 6. Mr. S. R. Kakrania, Advocate }
 7. Mr. Sanjeeb Seni, Advocate }
 8. Mr. Souvik Kundu, Advocate }
 9. Mr. Satadeep Bhattacharya, Adv. }

} Respondents
} for Petitioners
} Sanjeeb Seni, Advocate
} 08/08/2016

Dated 08.08.2016

C.P. No.426/2010

ORDER

Ld. Lawyers of both the parties are present. The matter is fixed for hearing on C.A. No.1494/2015.

Petitioner (Non-Applicant) in C.A. No.1494/2015 prayed to allow time to file the supplementary affidavit regarding the annexure A, B, C, D & E as annexed with the C.A.

Heard both sides at length. In my considered opinion if Annexure A, B, C, D & E is allowed to file then it is not going to prejudice the Petitioner. Petitioner will get ample opportunity to argue on the said documents. Moreover, to arrive at just decision in C.P., it is expedient to allow the C.A. at this stage by allowing annexure A, B, C, D & E as a part of C.P. Thus, C.A. No.1494/2015 is allowed.

Meanwhile, the Ld. Lawyer of the Petitioner has submitted that deceased Sujit Kr. Das, husband of the Petitioner No.1, a shareholder of the company, while was in coma and was under treatment, his shares has been diluted without his consent and/or or without taking any opinion from his legal heirs, on the other hand, Respondent submitted that after coming out from coma, the Petitioner's husband has given consent to that effect.

Subsequently, he has also signed in the subsequent Board Meetings.

Respondents are directed to produce those papers alongwith original signatures of deceased Sujit Kr. Das, husband of Petitioner and also the Memorandum and Articles of the Company and original minute books containing signatures of husband of the Petitioner, preparing complete list, so as to send the same to get those examined/investigated by the forensic /handwriting expert and the cost of sending the same to the expert shall be borne by the R-1 Company. Petitioner is also directed to produce the admitted signature of Late Sujit Kr. Das.

Fixed on 11.08.2016 for submitting all such documents before this Court.

Sd -
(Manorama Kumari)
MEMBER(J)