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**NATIONAL COMPANY LAW TRIBUNAL
AHMEDABAD BENCH
AHMEDABAD**


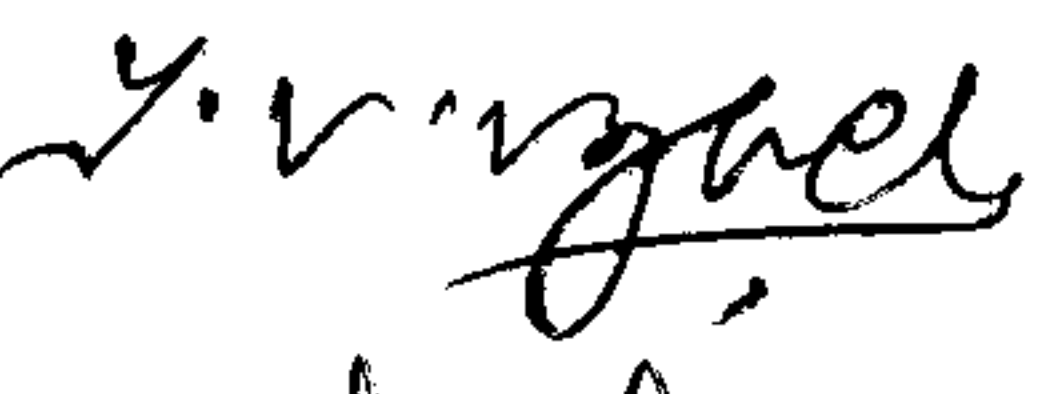

**IA 244/2017, IA 87/2017, IA 39/2016 and TP Nos. 20 D of 2016 with
TP No. 20/397-398/NCLT/AHM/2016 (New)
CA Nos. 49/2015 With CP No. 51/397-398/CLB/MB/2011 (Old)**

Coram: **Hon'ble Mr. BIKKI RAVEENDRA BABU, MEMBER JUDICIAL
Hon'ble Ms. MANORAMA KUMARI, MEMBER JUDICIAL**

**ATTENDANCE-CUM-ORDER SHEET OF THE HEARING OF AHMEDABAD
BENCH OF THE NATIONAL COMPANY LAW TRIBUNAL ON 08.02.2018**

Name of the Company: Nitesh C. Patel & Ors.
V/s.
Onex Natura Pvt. Ltd. & Ors.

Section of the Companies Act: Section 397-398 of the Companies Act, 1956

<u>S.NO.</u>	<u>NAME (CAPITAL LETTERS)</u>	<u>DESIGNATION</u>	<u>REPRESENTATION</u>	<u>SIGNATURE</u>
1.	Raju Kothari	Advocate	Petitioner	
2.	Y. V. Vaghela	Advocate		
3.	M. B. Gohil	Advocate	Resp. No. 2	

ORDER

Learned Advocate Mr. Raju Kothari present for Petitioners. Learned Advocate Mr. Mayurrajsinh Gohil present for Respondent no. 2. None present for Respondents.

Learned Advocate Mr. Y V Vaghela present for Applicant.

Heard arguments of learned Counsel for Applicant and learned Counsel for Original petitioner. None present for Original Respondents no. 1 to 4.

Learned Counsel appearing for Applicants submitted that Applicants no. 1 to 7 are the creditors of M/s. Onaex Natura Pvt Ltd as can be seen from the certificate issued by the Chartered Accountant which is at Annexure B to the application.

Applicant filed their affidavits also.

Learned Counsel for Original Petitioner opposed the application on the ground that there is no proof for the claim of the applicants.

Original Respondents no. 1, 3 and 4 filed reply stating no objection.

The certificate of Chartered Accountant prima facie show that applicants are the creditors of the Company.


In CP 51/2011 the amount that was realised by way of sale of only one property is lying with this Tribunal and it has to be distributed among the shareholders and creditors as per the final order passed in CP 51/2011.

Hence, this Tribunal is of the considered view that there is need to consider whether applicants are entitled for any amount as claimed by them.

Therefore, for the limited purpose of examining the claim of applicants, the applicants are permitted to come on record.

IA 244/2017 is disposed of accordingly.

List the pending applications on 14.03.2018.


MANORAMA KUMARI
MEMBER JUDICIAL

Dated this the 8th day of February, 2018.


BIKKI RAVEENDRA BABU
MEMBER JUDICIAL