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**NATIONAL COMPANY LAW TRIBUNAL
AHMEDABAD BENCH
AHMEDABAD**

**IA 250 of 2017 in TP No. 58/397-398/NCLT/AHM/2016 (New)
C.P. No. 11/397-398/CLB/MB/2014(Old)**

Coram:

**Present: Hon'ble Mr. BIKKI RAVEENDRA BABU
MEMBER JUDICIAL**

**ATTENDANCE-CUM-ORDER SHEET OF THE HEARING OF AHMEDABAD
BENCH OF THE NATIONAL COMPANY LAW TRIBUNAL ON 09.10.2017**

Name of the Company: Sanjivbhai Kiritbhai Patel & Ors.
V/s.
Biocare Remedies 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.	PRATIK THAKKAR	ADVOCATE	Orig. Respondents	<i>P. Thakkar</i>
2.	KIRAN SHAH	C.A.	PETITIONERS	<i>Kiran Shah</i>

ORDER

Learned FCA Mr. Kiran Shah present for Original Petitioners. Learned Advocate Mr. Pratik Thakkar present for Original Respondents in IA 250/2017.

Petitioner filed affidavit and blank signed share Transfer Forms of Mr. Deepak Rajinder Arora, Mrs. Sarlaben Rajinder Arora, Shri Rajinder Kumar Arora and Mrs. Tina Bhasin alias Tina Arora on 22.09.2017 in the Registry.

Petitioner shall furnish copy of said affidavits and blank share Transfer Forms to Respondent no. 2.

Respondent no. 2 sent a mail dated 07.10.2017 to the official mail address of this Bench along with the xerox copies of the Demand Draft dated 07.10.2017 each for Rs. 20 Lacs.

Respondent no. 2 also sent complaint by mail dated 07.10.2017 to the Registrar of this Tribunal.

Respondent no. 2 filed a letter enclosing the Demand Drafts dated 07.10.2017 each for Rs. 20 Lacs.

Registry is directed not to hand over the Demand Drafts deposited by Respondent no. 2 today and on 06.09.2017 to the petitioners or to any other person without orders of this Tribunal.


Respondent no. 2 filed a letter dated 28.08.2017 in Registry on 29.08.2017 wherein certain allegation were made on the affidavits filed by Petitioner.

The said letter is not in prescribed form of application as per NCLT Rules. The Registry has not placed that letter before me till 15.09.2017. The contents of email complaint dated 07.10.2017 and letter dated 28.08.2017 are to be considered at the time of Final Hearing.

This Tribunal by order dated 18.07.2017 directed petitioners to deposit the original share certificates of all petitioners and their group persons along with share transfer forms duly signed by petitioners and their group person in favour of Respondent no. 2 on or before 08.08.2017. The order dated 08.09.2017 is not an order that nullifies the order dated 18.07.2017 and it is not in lieu of share certificates as alleged by Respondent no. 2.

Non depositing of some original share certificates by petitioners is a matter to be considered at the time of final hearing.

List the matter on 15.11.2017 for entrustment of the case to some other Hon'ble Member (Judicial) or some other Hon'ble Bench.


BIKKI RAVEENDRA BABU
MEMBER JUDICIAL

Dated this the 9th day of October, 2017.