NATIONAL COMPANY LAW TRIBUNAL AHMEDABAD BENCH AHMEDABAD

T.P. No. 134/397-398/NCLT/AHM/2016 (New) C.P. No. 65/397-398/CLB/MB/2016 (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 13.02.2017

Name of the Company:

Sandeep Jagdishchandra Dave

V/s.

Environmental Project Mgmt. Pvt. Ltd. & Ors.

Section of the Companies Act:

Section 397-398 of the Companies Act, 1956

5.NO. NAME (CAPITAL LETTERS) DESIGNATION REPRESENTATION SIGNATURE

1. John H. Kapadia PCS R-2,3/9 J. Harbordia

2. Alkah JALAN PCS HOS Peritiones Soft

ORDER

Learned PCS Mr. Alkesh Jalan present for Petitioner. Learned PCS Mr. Jatin Kapadia filed Memorandum of Appearance for Respondents no. 2, 3 and 4.

Heard learned PCS for the petitioner and learned PCS for respondents no. 2, 3 and 4. None appeared for Respondent no. 1 despite notice.

It is alleged in the petition that respondents no. 3 and 4 were illegally appointed as Directors in the year 2014 and 2015 and shares were allotted to Respondent no. 2 without following procedure and without knowledge of the petitioner.

It is contended by the Learned PCS for Respondents that there are certain omissions in respect of compliance of the regulations 12, 14 (5) and (7) of Company Law Board Regulations, 1991.

The objections raised by the learned PCS for Respondents relate to format of the petition, Memo of appearance, etc. which are procedural in nature and more so directory. Those objections may not come in the way of admitting the petition when there is allegation of mismanagement and oppression.

Petition is admitted. Respondents 1 to 4 shall file their reply within 3 weeks by serving a copy in advance to the petitioner. Petitioner shall send a copy of this order to Respondent no. 1 and file proof of service.