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**NATIONAL COMPANY LAW TRIBUNAL
AHMEDABAD BENCH
AHMEDABAD**

IA 16/2017, IA 16/2016, IA 17/2016, IA 18/2016
TP No. 120/397-398, 58-59, 235(2), 237(b)/NCLT/AHM/2016 (New)
CP No. 24/397-398, 58-59, 235(2), 237(b)/CLB/MB/2016 (Old)

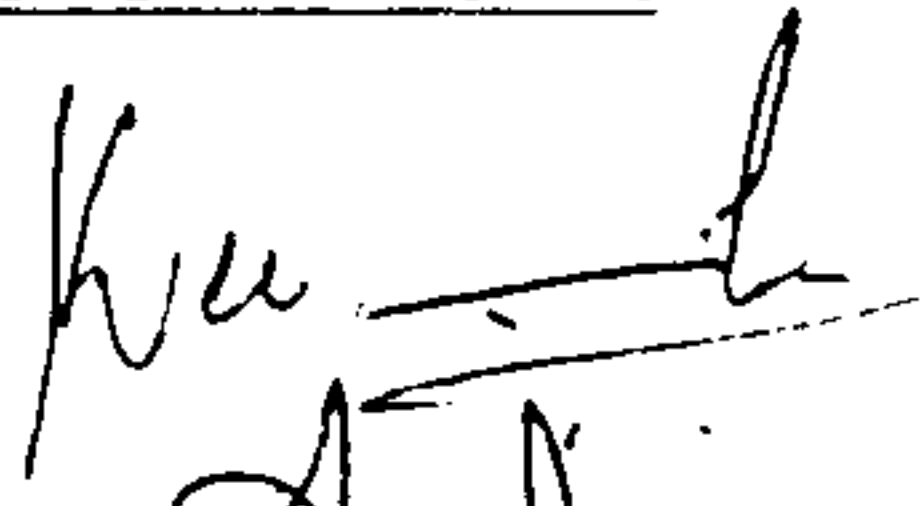
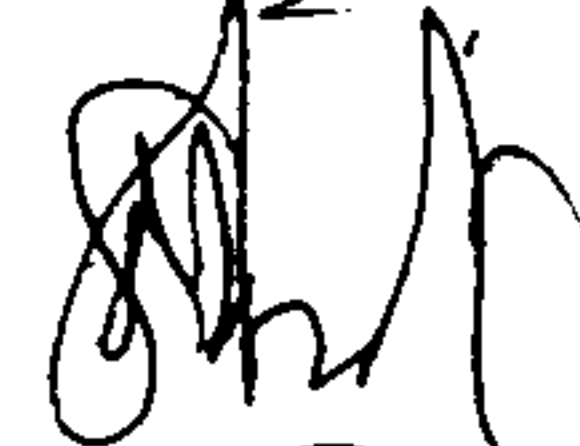

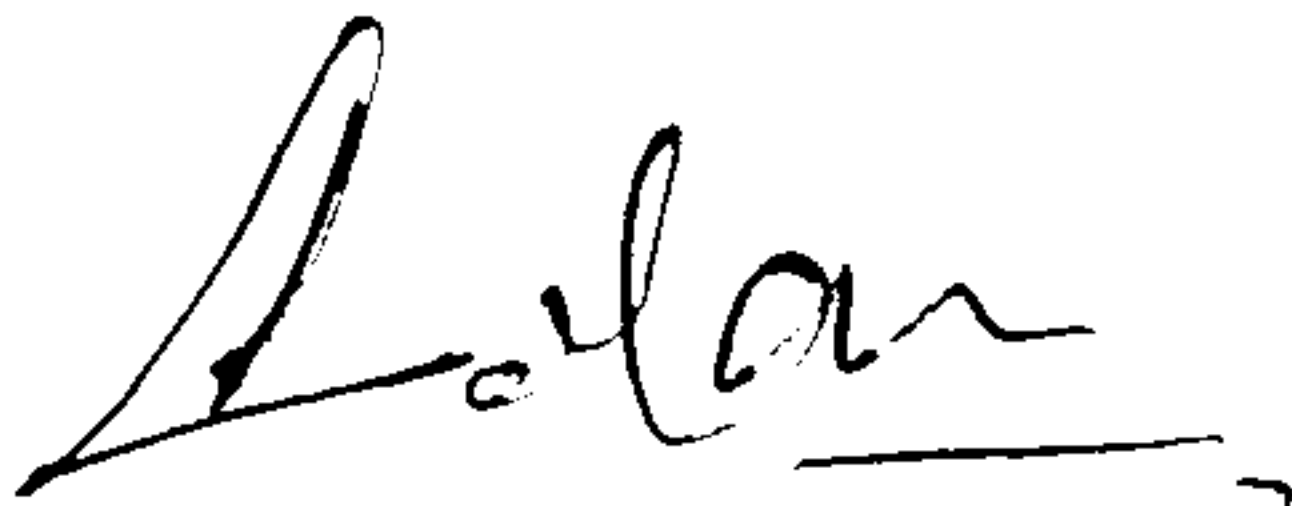
Coram:

**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 15.02.2017**

Name of the Company: Alliance Industries Ltd.
V/s.
Peoples General Hospital Pvt. Ltd. & Ors.

Section of the Companies Act: Section 397-398, 58-59, 235(2), 237(b) of the
Companies Act, 1956

S.NO.	NAME (CAPITAL LETTERS)	DESIGNATION	REPRESENTATION	SIGNATURE
1.	Kunal P Vaishnav	Advocate	For Alliance org petitioners	
2.	Amalpusph Shrotri	Advocate	for R/2	
3.	S. K. Batra	PCS 2875	R1	
4.	L. J. Golani	Advocate 4, 5.		

ORDER

Learned Advocate Mr. Kunal P Vaishnav present for Original Petitioner. Learned Advocate Mr. Amalpusph Shrotri present for Respondent no.2. Learned PCS Mr. S.K Batra present for Respondent no. 1. Learned Advocate Mr. L. J Golani present for Respondents no. 4 and 5.

Original Respondent no. 1 in TP 120/2016 filed this application i.e. IA 16/2017 requesting this Tribunal to strike off the right of the petitioner to file the rejoinder in TP 120/2016 and the right of the original petitioner to file reply in the application pending in TP 120/2016.

Original petitioner is directed to file their rejoinder in the main petition and replies in the applications i.e. IA 16, 17, 18/2017 within four weeks from 22.12.2016.

Original petitioner filed rejoinder in main petition and replies in applications but not within time stipulated by this Tribunal

The only ground on which this application is filed is the delay in filing rejoinder in the main petition and replies in applications. Learned Counsel appearing for the original petitioner contended that original respondents also caused delay in filing their replies and the reply turns into 1200 pages and therefore there is some delay in filing rejoinder and/ reply.


There is no provision either in the Companies Act or Rules prescribing the period to file pleadings. The code of Civil procedure is not strictly applicable. The time framed by this Tribunal for filing pleadings and therefore this Tribunal can extend time provided if there is sufficient cause. In the case on hand there is sufficient cause of delay in filing reply/ rejoinder and hence the reply of the original petitioner in the applications and rejoinder in the original petition is received.

This application i.e. IA 16/2017 is dismissed at the admission stage.

The Original Respondents wants to file rejoinder in IA 16/2016, 17/2016 and 18/2016.

The Original Respondents shall file their rejoinders in IA 16, 17 and 18/2016 within three weeks by serving copy in advance to the original petitioners.

List the matter on 28.03.2017 for hearing on pending applications.


BIKKI RAVEENDRA BABU
MEMBER JUDICIAL

Dated this the 15th day of February, 2017.