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**NATIONAL COMPANY LAW TRIBUNAL
AHMEDABAD BENCH
AHMEDABAD**



**IA 251 of 2017 in TP No. 26/397-398/NCLT/AHM/2016 (New)
CP No. 46/397-398/CLB/MB/2012 (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 25.10.2017**

Name of the Company: Radhakishan B. Ruchanadani
V/s.
Beeccceelene Textile Mills 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.	CS MANOJ HURKAT	PCS	R-1 to R-5	
2.	DHIREN R. DAVE	PCS	Applicant ori. Petitioner	

ORDER

Learned PCS Mr. Dhiren Dave present for Petitioner. Learned PCS Mr. Manoj Hurkut present for Respondents no. 1 to 5. None present for other Respondents.

Proof of service of notice of date of hearing on Respondents no. 6 to 8 filed.

Respondents no. 1 to 5 reported no objection.

None appeared for Respondents no. 6 to 8.

Heard arguments of both sides.

Perused the order of the Tribunal dated 13.04.2017 made in TP 26/2016.

Perused the order of Hon'ble National Company Law Appellate Tribunal in company Appeal (AT) no. 232/2017. Appellate Tribunal dismissed the appeal filed by Respondent no. 1 and others.

This application is filed requesting Tribunal to appoint Independent Valuer to fix fair value of Respondent no. 1 company.

On this application this Tribunal ordered notice to Respondents asking them to file objections, if any.

Learned PCS Mr. Manoj Hurkut present for Respondents no. 1 to 5. None appeared for Respondents no. 6 to 8.

As per order of this Tribunal dated 13.04.2017 in case of no mutual agreement on the fair value of the shares of Respondent no. 1 Company and the sale of share is not completed within period of 90 days the applicant herein if he is willing to sell his shares he is entitled to file this application before this Tribunal to appoint Independent Valuer to fix fair value of share of Respondent no. 1 as on the date of filing of petition.

Accordingly, this application is filed. Respondents did not state any objections.

Hence, this Tribunal hereby appoint M/s Alpa Bhavesh Shah & Co. S/12-A Vikram Chambers, Ashram Road, Ahmedabad-09. Telephone no. 079-40069357 as Independent Valuer to determine the fair value of the shares of Respondent no. 1 as on the date of filing of petition.


Further orders regarding the manner and mode of sale of shares will be passed after determination of fair value of shares of Respondent no. 1 company.


The fees of Independent valuer shall be borne by petitioner and Respondents equally.

Both parties shall provide necessary documents and material to Independent Valuer within one week from the date of receipt of notice from Independent valuer.

Independent valuer shall file its report before this Tribunal on or before 07.12.2017.

List the matter on 07.12.2017.


MANORAMA KUMARI
MEMBER JUDICIAL


BIKKI RAVEENDRA BABU
MEMBER JUDICIAL

Dated this the 25th day of October, 2017.