

National Company Law Tribunal

Allahabad Bench

CP NO. 77/ALD/2017

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING OF ALLAHABAD BENCH OF THE
NATIONAL COMPANY LAW TRIBUNAL ON 01.09.2017

NAME OF THE COMPANY: IDBI Bank vs. Jaypee Infratech Limited

SECTION OF THE COMPANIES ACT: U/S

| <u>Sl. NO.</u> | <u>Name</u> | <u>Designation</u> | <u>Representation</u> | <u>Signature</u> |
|----------------|--------------------|--------------------|-----------------------|------------------|
| 1. | RAHUL AGARWAL | ADVOCATES | APPLICANT BANK | Shubham |
| 2. | SHUBHAM AGARWAL | | | |
| | Deepak Kumar Singh | Adv. | 1st owner | 10/9 |
| 3. | R. P. Agarwal | Adv. | Resp. | Rmp |

CP No.77/ALD/2017

Sh. Deepak Kumar Singh, Advocate for the IIIrd party applicant. Sh. Rahul Agarwal alongwith Sh. Shubham Agarwal, Advocates for IDBI. Sh. R.P. Agarwal, Advocate for the corporate debtor company.

Learned petitioner counsel express no objection for grant of copies of the petition.

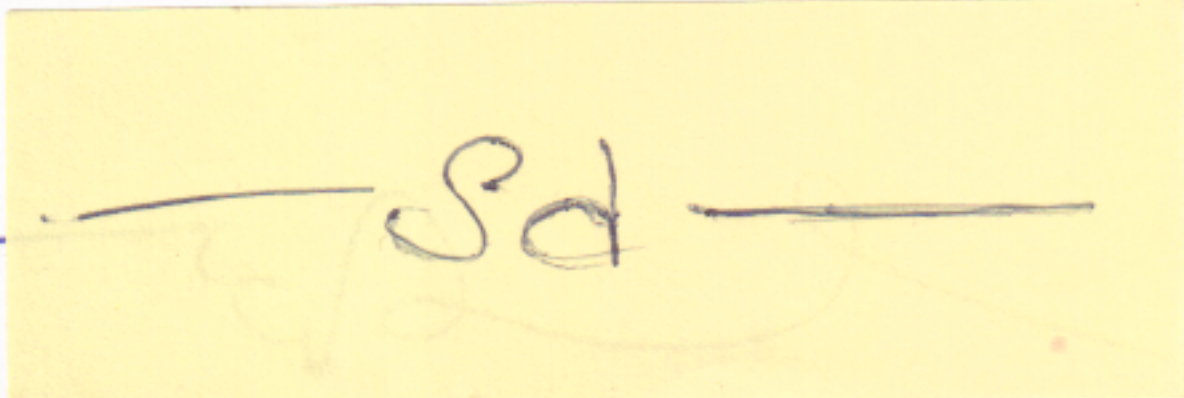
On perusal of the company petition goes to show that there are certain annexures which are filed as photocopy of the original documents. The copy of such Xerox document can be made available only in conformity with the relevant rule applicable for issuing of certified copy. Therefore, the registry is directed to verify the same and can issue certified copy of the petition and memo of withdrawal and other pleadings filed in original. So far as, annexures enclosed therewith are concern, the certified copy of such petition can only be provided, if it is filed in original and that is too after receiving no objection from the concern parties, ^{and} after hearing their submission as per the existing practise, certified copy of such documents can be

issued in due course. Therefore, the IIIrd party applicant is at liberty to make a request to the petitioner and may get informal copy of the present petition. Further, the learned counsel for the corporate debtor Sh. R.P. Agarwal oppose for grant of certified copy in respect of the annexures made in the petition which relates to corporate debtor company being its internal documents/correspondence between the parties concern. Hence, he expresses reservation of the company for the grant of certified copy of such document.

Keeping in view of such position, the registry is directed to issue a certified copy of the pleadings filed by both the parties which include copy of petition (without annexures) and of withdrawal memo. The petitioner is at liberty to deposit the appropriate amount of copying fees as may be quantified by the registry. He is allowed to take back his draft deposited earlier by replacing the same with another one of the appropriate amount. Thus, the memo is partly allowed and accordingly stands disposed of.

Dated:01.09.2017

Typed by:
Kavya Prakash Srivastava
(Stenographer)


Shri H.P. Chaturvedi, Member (Judicial)