

National Company Law Tribunal

Allahabad Bench

CP NO.65(ND)/2014

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING OF ALLAHABAD BENCH OF THE
NATIONAL COMPANY LAW TRIBUNAL ON 10.02.2017

NAME OF THE COMPANY: Associated Chemicals Ind(Kanpur) Pvt Ltd

SECTION OF THE COMPANIES ACT: u/s 397/398 of Companies Act,1956

| Sl. NO. | Name | Designation | Representation | Signature |
|---------|--------------------|-------------|----------------|--------------------|
| 1. | Anurag Shrivastava | Director | Director | Anurag Shrivastava |
| 2. | | | | |

Order dated 10.02.2017
CP No. 65(ND)/2014 Associated Chemicals Ind. (Kanpur) Pvt
Ltd

The case is fixed for final hearing. Both sides are expected to file their written submission. Today there is no representation from either side. We received a written communication from Director of the company, stating such that she is not able to remain personally present for hearing. Her written submission is filed that may be taken on record. The Registry may make scrutiny before taking it on record. It is made clear that this Court is not inclined to encourage for accepting of pleading through correspondence. It is equally expected on the part of the parties concern either they should represent themselves in person ^{or send the} are to be represented by their authorised representative. However, considering the above request a final opportunity is granted to the parties for argument in the matter.

In addition to the above, this Bench is in receipt of communication from the Registry of Hon'ble NCLAT forwarding a copy of order dated 20.01.2017 wherein the Hon'ble NCLAT pleased to observe such they are not inclined to interfere with the impugned order of this Tribunal in so far as the smooth conduct of inspection of record of company compliance of earlier order passed by the then Company Law Board.

However, the Hon'ble NCLAT partly modified the order dated 17.11.2016 observing such that the counsel for both the parties may remain present and represent their clients to give proper suggestion for inspection of more or other record. However, they themselves would not be able to inspect record/document of the company or the other material on behalf of the appellant or the respondent. Thus the order dated 17th Nov. 2016 passed by this Bench stands modified and clarified by the Hon'ble NCLAT. Therefore, both the parties are directed to act in accordance with the NCLAT order read with order of this Tribunal dated 17th Nov.2016 for the purpose of making inspection of the record of the company. The matter be called in second week of March for final hearing.

List the matter on 08.03.2017.

Later on Shri Anurag Bhargava represented the Respondent Company.


SH. H.P. CHATURVEDI (Judicial Member)

Dated 10.02.2017