

## National Company Law Tribunal

## Allahabad Bench

C P NO. 28/ND/2013

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING OF ALLAHABAD BENCH OF THE NATIONAL COMPANY LAW TRIBUNAL ON 10.11.2017

NAME OF THE COMPANY: *Sudhir Mahajan Vs. B. D. Mahajan*SECTION OF THE COMPANIES ACT/I & B CODE: *397/398 of the Companies Act, 2013*

<u>Sl. NO.</u>	<u>Name</u>	<u>Designation</u>	<u>Representation</u>	<u>Signature</u>
1.	<i>Zain Abbas</i>	<i>Adv</i>	<i>Pet</i>	<i>Zain</i>
2.	<i>Santh K. K.</i>	<i>Adv</i>	<i>Pet.</i>	<i>Santh</i>
3.	<i>Shashank Desai</i>	<i>Adv</i>	<i>Respondent</i>	<i>Shashank</i>

**CP No. 88/ND/2013**

The counsel for petitioner in (CP No.64/ND/2013) and respondent in (CP No.88/ND/2013) is not available, as his train is running late. *Today*, the case is fixed for hearing in respect of (CA No. 13 and 13A of 2017), as well as on the application seeking for replacement of the Chartered Accountant appointed ~~previously~~ as per the order of the Hon'ble Supreme Court.

However, before pronouncing an appropriate order on these applications this court needs certain more clarification from both sides, specifically in respect of a third party agreement, as entered between the company and one Mr. Mohammad Shami (being Cricketer). The issue arises for our consideration as to whether, the execution of such agreement on behalf of the company can be treated as valid one and is found to be in order, from all respect, for making payment of amount due thereunder. Because, it is contended that, some payment in respect of such agreement has

been made earlier by the company, then, what can be difficulty in releasing the Balance payment which is due under the contract.

The counsel appearing for the Sudhir Mahajan inform further that their written argument and counter affidavit on their behalf are already filed. Hence the same is taken on record.

The matter be listed on for further hearing on 17<sup>th</sup> November, 2017.

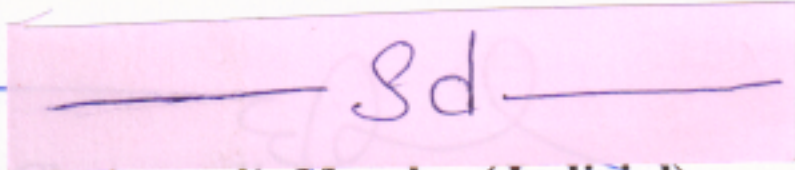
**Later on After lunch**

Advocate Sh. S.D. Sudhi appeared for (Petitioner in CP No.64/ND/2017) and for (respondent in CP No.88/ND/2013) and prayed for re-scheduling the date for hearing matter on **16<sup>th</sup> November, 2017** instead of 17 November, 2017. Such request is acceded to.

List the matter on 16<sup>th</sup> November, 2017.

Date: 10/11/2017

*Typed by*  
Md.zaid

—  —  
**H.P. Chaturvedi, Member(Judicial)**