

National Company Law Tribunal

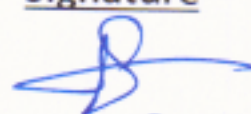

Allahabad Bench

CP NO. 8/ND/2009, CA No.

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING OF ALLAHABAD BENCH OF THE NATIONAL COMPANY LAW TRIBUNAL ON 18.11.2017

NAME OF THE COMPANY: Pawan Tiwari vs. M/s Ganga Sheetaagarh Pvt Ltd

SECTION OF THE COMPANIES ACT/I & B CODE: 397/398 of the Companies act of 1956

<u>Sl. NO.</u>	<u>Name</u>	<u>Designation</u>	<u>Representation</u>	<u>Signature</u>
1.	SAURABH ^{ADHIKARY}	ADV	PETITIONER	
2.	Mimanshu	Adv	Respondent	

CP No. 8/ND/2009, C.A. No. 21, 22 & 36

Order in respect of C.A. No. 22/2016 is dictated separately. The C.A No. 22/2016 is allowed. Consequently, the Original C.A. No. 8/2013, which was filed before the then Company Law Board (Principal Bench), New Delhi is now permitted to be withdrawn and the report of the Central Forensic Science Laboratory, New Delhi, (which was submitted pursuant to a direction of the Company Law Board) in the above referred C.A. No. 8/2013 is also excluded to be considered for deciding the main C.P.

Notwithstanding the above, it is further observed that in case and in the interest of justice, this court feels appropriate and necessary to consider such report for disposal of the present C.P., then after affording an opportunity of being heard to the counsel for both the parties and by summoning the expert as a court witness can examine the relevancy of the report of CFSL with a view to decide the controversy involved in present C.P.

We further examined the merits of prayer sought for in C.A. No. 36/ 2016, for seeking a direction from this Court, for verification of the original documents available in case record of the present case and to trace out some documents found missing or not to be received by this Bench along with case record.

Having heard the submission of counsel for both parties, we feel appropriate to issue a direction to the Registry of this Tribunal to make scrutiny and verification of all the original documents, those are received alongwith case record of the present case, as transferred from the Registry of the erstwhile (C.L.B., Principal Bench), New Delhi. The Registry of this Tribunal make necessary enquiry for tracing out such Original documents, those earlier were referred to CFSL of CBI, New Delhi and to verify as to

whether, the same were duly returned or otherwise by office of the CFSL to the then Company Law Board, New Delhi.

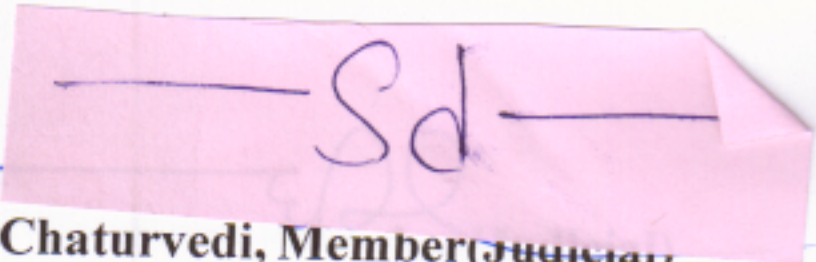
The Assistant Registrar of this Bench is also authorised for making necessary correspondence with the Registry of the erstwhile Principal Bench of C.L.B or Principal Bench, NCLT, New Delhi as the case may be, and also with Central Forensic Science Laboratory for the purpose of tracing out such original documents. The Registry to submit a report to this Bench.

With the above stated observation, the C.A. No. 36/2016 is partly allowed and accordingly stands disposed of. The case is now fixed for further hearing in C.A. No. 21/2016.

The matter be listed on 6th December, 2017.

Date: 14/11/2017

Typed by
Jyoti
(Stenographer)


H.P. Chaturvedi, Member (Judicial)