

National Company Law Tribunal

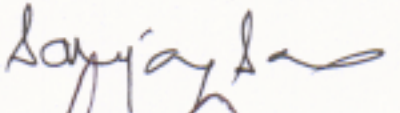

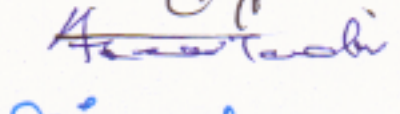
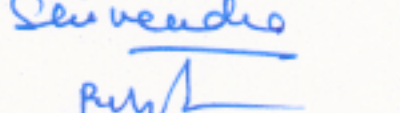
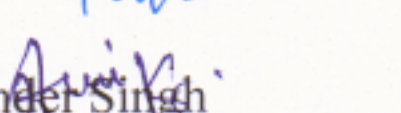
Allahabad Bench

CP NO. 40/ALD/2017, CA No 176/2017

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING OF ALLAHABAD BENCH OF THE NATIONAL COMPANY LAW TRIBUNAL ON 15.12.2017

NAME OF THE COMPANY: Shahjahanpur Club Pvt Ltd

SECTION OF THE COMPANIES ACT/I & B CODE: 97 of the Companies Act of 2013

| Sl. NO. | Name | Designation | Representation | Signature |
|---------|-------------------|-------------|----------------|---|
| 1. | SANJAY SAXENA | C.A. | Petitioner |  |
| 2. | J. S. BAJAJ | PET | " |  |
| 3. | Adesh Tandon | PCS | R-1 & 2 |  |
| 4. | SHIVENDRA BAHADUR | CGSC | R.O.C |  |
| 5. | Pawan Kumar Dubey | Advocate | Proposed Party |  |

CP NO.40/ALD/2017, CA NO.176/2017

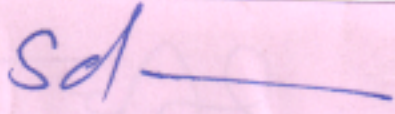
6. Sh. Sanjay Saxena, Advocate for the petitioner along with Sh. Jaswinder Singh Bajaj, being a Director of the respondent company are present. Sh. Adesh Tandon, PCS for Directors of the Company i.e. Mr. Hargovind Modi and others (respondent no.1 & 2). Sh. Pawan Kumar Dubey, Advocate files vakalatnama on behalf of the Honorary President & Secretary of the club being District Magistrate (DM) & Superintendent of Police (SP), Shahjahanpur. Sh. Shivendra Bahadur, CGSC representing the ROC. Sh. Anil Kumar, PCS for proposed party.

Having heard the learned counsel for the parties at length, prima facie the crux of dispute involved in the present case is holding of an Annual General Meeting (AGM) and as to whether such AGM conducted is valid or in conformity with the statutory provision of the Companies Act. Since, there appears serious dispute on conducting of such AGM without express permission from the Central Government e.g. O/o ROC, Kanpur, we are of the view that some direction needs to be issued to protect the interest of shareholders/members at large that the club/respondent company shall call for a meeting of all its members/shareholders and the Honorary President & Secretary of the club are also instructed and advised to remain present in such meeting and thereafter may take a conscious decision by passing necessary resolution as to whether previous AGM of the company/club to be reconvened or otherwise.

Meanwhile, the respondent company/club is directed to furnish an Article of Association and Memorandum of Association of the Company alongwith a copy of its internal circular issued time to time for past five years.

The matter to be listed on 30th January, 2018

Dated:15.12.2017


H.P. Chaturvedi,
Member (Judicial)