

National Company Law Tribunal

Allahabad Bench

CP NO.92(ALD)/2016

**ATTENDANCE-CUM-ORDER SHEET OF THE HEARING OF ALLAHABAD BENCH OF THE
NATIONAL COMPANY LAW TRIBUNAL ON 16.02.2017**

NAME OF THE COMPANY: Pooranpur rice mills pvt Ltd

SECTION OF THE COMPANIES ACT: U/S 56,57,58,241,242 of Companies Act,2013

<u>Sl. NO.</u>	<u>Name</u>	<u>Designation</u>	<u>Representation</u>	<u>Signature</u>
<u>1.</u>	P. K. BAJPAI	Advocate	Petitioner	P. K. Bajpai
<u>2.</u>				

Order dated 16.02.2017

CP No.92(ALD)/2016 Pooranpur Rice Mills Pvt Ltd


Shri P.K. Bajpai Counsel represents the company petitioner. The C.P. is filed in this Bench and the defects have been removed by the petitioner on 14.02.2017, as per the report of the Registry therefore a fresh notice to be issued by the petitioner to the respondents.

The Ld. Counsel appearing for the petitioner further prays for grant of Ad interim relief. It is also brought to our notice that an appeal filed by the petitioner before the Hon'ble High Court of Uttarakhand (bearing No. 24 of 2016) is still pending. However, the petitioner propose to withdraw the same, keeping in view of the constitution of this Tribunal. Thus he prays for continuation of interim order passed earlier as interim measures by the Hon'ble High Court on 23rd March, 2016. The interim order relates to restraining the respondent from creating any third party interest in moveable & immoveable property of the company which is the subject matter of the dispute.

We consider the contention of the Ld. Counsel however we feel that interim order passed by the Hon'ble High Court of Uttarakhand is still enforce till its vacated or recalled or appeal is permitted to be withdrawn.

Therefore, there appear no urgency to reiterate such direction already given by the Hon'ble High Court. Further order on interim relief sought for by the petitioner can be passed after withdrawal of appeal and after hearing the counsel for both the parties.

Notwithstanding above in order to avoid some hardship the petitioner may face. It is directed that both the parties to maintain status quo in the light of the interim order dated 23.03.2016 passed by the Hon'ble High Court of Uttarakhand. The matter be listed on 20th March, 2017.


SH. H.P. CHATURVEDI (Judicial Member)

Dated 16.02.2017