

राष्ट्रीय कम्पनी विधि न्यायाधिकरण,
इलाहाबाद खण्डपीठ
(National Company Law Tribunal)
(Bench: Allahabad)

सी0 पी0 नं0/ C P No. 64/ND/2013

राष्ट्रीय कम्पनी विधि न्यायाधिकरण, इलाहाबाद खण्डपीठ में दिनांक . १९.०९.२०१७ को सुनवाई का उपस्थिति-सह-आदेश पत्रक:

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING OF ALLAHABAD BENCH OF THE NATIONAL COMPANY LAW TRIBUNAL ON-19.09.2017

कम्पनी का नाम :

NAME OF THE COMPANY: Rakesh Mahajan v/s. B.D. Mahajan

कम्पनी अधिनियम की धारा :

SECTION OF THE COMPANIES ACT: 397/398 of the Companies Act of 1956

क्रम संख्या Sr. No.	नाम Name	पदनाम Designation	प्रतिनिधित्व Representation	हस्ताक्षर Signature
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1

Shashank Kumar Adv.

2

Saurabh

Respondent

3

Shri Saurabh Adv.

Resp.

Sh. S.B. Sudhi
Saurabh

CP No. 64/ND/2013

Advocate, Saurabh Srivastava for the petitioner in respect of CP No. 88ND/2013 and Advocate, Shri S.B. Sudhi for the petitioner in respect of CP No. 64/ND/2013, further Advocate, Sh. S.B. Sudhi appears for respondent in C.P. No. 88/2013, and Shri Saurabh Srivastava for Respondent in 64/ND/2013.

Argument at length of the learned counsel of both the parties are parties are heard in respect of the C.A filed under Rule 11 of NCLT Rules seeking release of fund of Rs. 30 lakhs to meet urgent nature expenses incurred on behalf of the company. The parties are further granted liberty to file written submission, if any, within a week on this C.A. by exchanging a copy thereof with each other.

Meanwhile, in order to provide substantial justice to the parties concern and to facilitate the applicant to meets their urgent dues/ expenses. The Chartered Accountant is directed to release an amount towards salary of Director Mr. Rakesh Mahajan as fixed by the Board of Director of the Company, for which, petitioner Sri Rakesh Mahajan is liberty to receive the same without prejudice to his right/

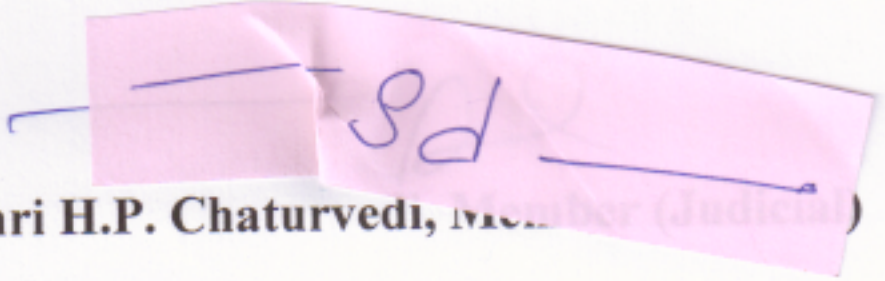
and under protest, if he is willing so. However, such payment made shall be subject to outcome of the present application.

That apart in order to meet other necessary expenses. The Chartered Accountant is hereby further directed to release further fund of Rs.One Lakh to the petitioner. The counsel for both the parties are at liberty to file written submission on the C.A alongwith comments/ objection if any, on the report/ reports submitted by the Chartered Accountant (Shri Ravi Nagpal) on 27th July, 18th August and 15th September, 2017 and other previous report as filed by the Chartered Accountant, in the present matter if they are willing so and to exchange their written submission/ and comments with the opposite counsel.

The counsel also files supplementary counter reply with regard to CA No. 13/2017 in CP No. 64/ND/2013. The order is reserved.

The matter be listed on 13th October, 2017.

Dated:19.09.2017


Shri H.P. Chaturvedi, Member (Judicial)

Typed by
P.K.Jyoti