

National Company Law Tribunal

Allahabad Bench

CP NO. 106/ND/2012

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING OF ALLAHABAD BENCH OF THE NATIONAL COMPANY LAW TRIBUNAL ON 26.07.2017

NAME OF THE COMPANY: Smt. Poonam Gupta v/s Jananamandal Ltd

SECTION OF THE COMPANIES ACT: U/S 397/399 of the Companies Act of 1956

Sl. NO.	Name	Designation	Representation	Signature
1.	Ashish Kr. Sriv.	Adv.	Petitioner	AS
2.	Dr. Pawan Jaiswal	PCMA	Respondent	PJ

CP no.106/ND/2012

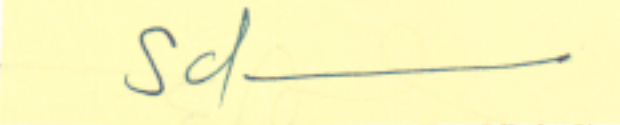
Sh. Ashish Kumar Srivastava, Advocate for the petitioner company. Dr. Pawan Jaiswal, PCMA representative for the respondents. Learned counsel/representative of both the parties have brought to our notice about the latest order passed by the Hon'ble Supreme Court on 21st July, 2017, in respect of the present matter, extending the time for making inspection by another four weeks from date 21.07.2017. Parties are expected to go by the order of the Hon'ble Supreme Court in letter and spirit for making necessary compliance and to provide necessary facility to complete such task of inspection pursuant to the previous order of this Tribunal read with order of the Hon'ble CLB (Principal Bench).

At this stage, Advocate Sh. Ashish Kumar Srivastava, representing the petitioner brings to our notice that the Chartered Accountant Sh. Ashok Kumar Aggarwal who was appointed by the Hon'ble CLB, assigned the task for carrying such inspection, is not showing any interest to complete the task as well as he is not keen to continue with his assignment. Therefore, the change of the Chartered Accountant by this Tribunal is needed as the time is the essence of the task given in compliance of the direction of the Hon'ble Supreme Court. We feel that the Chartered Accountant, Sh. Ashok Kumar Aggarwal should inform in writing to this Tribunal in express term about his willingness to continue to complete the task as directed by the Company Law Board and further affirmed by the Hon'ble Supreme Court within stipulated period. In case, he is not inclined to complete this task due to his personal reason, he shall inform in writing to this Tribunal within three days from the date of receipt of this order, failing which this Tribunal may presume that he is not interested in to continue with the inspection work/task and alternative arrangement to be made. In view of this, the petitioner counsel is instructed to

communicate/send a copy of this order to the Chartered Accountant Sh. Ashok Kumar Aggarwal as well as to the Regional Director (NR). The petitioner counsel is also granted liberty to suggest alternative names (minimum two names) of the proposed Chartered Accountants.

Matter be listed on 31st July, 2017 after lunch.

Dated:26.07.2017


Sri H.P. Chaturvedi, Member (Judicial)

Typed by:
Kavya Prakash