

National Company Law Tribunal






Allahabad Bench

C P NO. 19 / ND / 2007

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING OF ALLAHABAD BENCH OF THE NATIONAL COMPANY LAW TRIBUNAL ON 29.11.2017

NAME OF THE COMPANY: Ram Babu V/S Target Construction 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.	Dr. Pawan Jaiswal	PCMA	Petitioner	
2.	NIDHI SINGH	Advocate	Pet.	
3.	Vimal T. Gupta	Advocate	Pet	
4.	RAM BABU	Pitioner		
5.	B.K. Dwivedi	R/3 PCS	R/3	

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The petitioner is present in person alongwith Dr. Pawan Jaiswal, PCMA. Shri B.K. Dwivedi, PCS for Respondent No.3.

In the present matter other respondents are not appearing despite sufficient opportunity to them for appearance have been granted. The present the case is quite old one. Hence, the case is fixed for final hearing.

Notwithstanding the above, this Tribunal is in receipt of a receipt from the RoC, Kanpur; the petitioner's PCMA file his comments/ objection to such report, annexed with his written submission.

The PCS representing Respondent No. 3 also file his comment/objection on the report of RoC, which is taken on record.

Notwithstanding the above, before we proceed to dispose of the case on its merits. We, prima facie feel that the Main grievance of petitioner in the present matter is that he should be paid a fair value and other dues, so also is the demand of the Respondent No.3. That apart there may be some other dues of worker/ employee towards salary and allowances and further on tax liability etc., if any, of the Company.

By considering these peculiar circumstances of the case, we feel appropriate to appoint a Team of PCS as Commissioner of this Court to pay visit to the Registered office of the Company and further to make inspection of

Record of Company of the Company and if feel necessary may also visit the office of the Registrar, Kanpur in order to collect information/ record in respect of current assets (tangible and non-tangible both) of the Respondent Company and its approximate sale value thereof. The Team of Commissioner to submit its report on the status of the Company is functioning as going concern or otherwise.

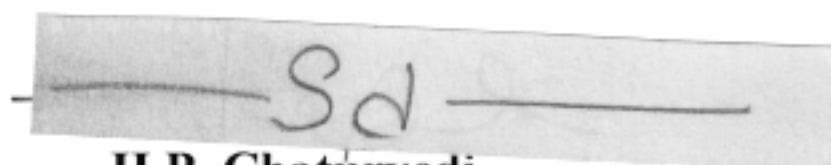
Meanwhile, the petitioner is directed to bears the necessary expenses of learned PCS/ Commissioner. Hence, we appoint Ms. Monica Nanda, PCS, Mobile No. 7505759030 along with Ms. Rafat Aquil, Mobile No. 7007594412. The team of Commissioner is at liberty to take aid of another lady PCS, if feel necessary in case its member is not available.

A copy of this petition along with Annexures to be provided to the team of Commissioner in order to facilitate to complete the assigned task.

The matter be listed on 22nd December, 2017.

Date: 29/11/2017

Typed by
Jyoti
(Stenographer)



H.P. Chaturvedi,
Member(Judicial)