

National Company Law Tribunal
Allahabad Bench
Allahabad

CP No. 9(ND)/2014

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING OF ALLAHABAD
BENCH OF THE NATIONAL COMPANY LAW TRIBUNAL ON 29.09.2016.

NAME OF THE COMPANY: M/s Shaifali Papers Pvt. Ltd. & Ors.

SECTION OF THE COMPANIES ACT: u/s 397/398 of Companies Act, 1956.

Sl. No.	Name	Designation	Representation	Signature
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1.

2.

Order dated 29.09.2016

CP No. 9(ND)/2014 M/s Shaifali Papers Pvt. Ltd. & Ors.

Shri Aditya Nayar Learned Counsel represented that he had instructions that the negotiations are in progress, but we are not satisfied with the pace of the so called negotiations because on the same pretext the matter underwent repeated adjournments. The matter is ordered to be listed on 26.10.2016 for dismissal.

List the matter on 26.10.2016.


SH. VSR AVADHANI (Judicial Member)


SH. H.P. CHATURVEDI (Judicial Member)

Dated 29.09.2016

National Company Law Tribunal
Allahabad Bench
Allahabad

73 (ND)/2016

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING OF ALLAHABAD
BENCH OF THE NATIONAL COMPANY LAW TRIBUNAL ON 29.09.2016.

NAME OF THE COMPANY: Anil Aggarwal & Ors.

v/s

M/s Sartek Machinery Pvt. Ltd. & Ors.

SECTION OF THE COMPANIES ACT: u/s 397-398 of Companies Act, 1956.

Sl. No.	Name	Designation	Representation	Signature
1.	ADARSH KUMAR	PCS	Petitioner	Adarsh
2.	TATWISH AGGARWAL	Advocate	R.No. 2 & 4	Tatwisha

Order dated 29.09.2016

CP No.73(ND)/2016 Anil Aggarwal & Ors. Vs. M/s Sartek
Machinery Pvt. Ltd & Ors.

Learned representative for the petitioner filed proof of service. Ld. Counsel appeared for respondent No. 2 and 3 and filed applications. Office to check and put them up for necessary orders. As the application under Section 8 of Arbitration and Conciliation of Act 1996 is filed to refer the matter for arbitration all other proceedings are postponed till that application is decided. List on 27.10.2016; pleadings should be completed in the applications before that date.

List the matter on 27.10.2016.

SH.V.S.R AVADHANI (Judicial Member)

SH. H.P. CHATURVEDI (Judicial Member)

Dated 29.09.2016

For
Compliance
29/9/16

National Company Law Tribunal
Allahabad Bench
Allahabad

CP No. 1(ND)/2012

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING OF ALLAHABAD
BENCH OF THE NATIONAL COMPANY LAW TRIBUNAL ON 29.09.2016.

NAME OF THE COMPANY: Sh. Kanti Prasad Agarwal & Ors.

Vs.

M/s Kalia Devi Real Estate Ltd.

SECTION OF THE COMPANIES ACT: u/s 397/398 of Companies Act, 1956.

Sl. No.	Name	Designation	Representation	Signature
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1.

2.

Order dated 29.09.2016

CP No. 1(ND)/2012 Sh.Kanti Prasad Agrawal & Ors. Vs. M/s
Kalia Devi Real Estate Ltd.

On mentioning by both the Learned Counsels, the matter is
ordered to be delisted from the daily cause list of 20.10.2016 and
be listed in the daily cause list of 21.10.2016 for arguments.

List the matter on 21.10.2016.


SH. VSR AVADHANI (Judicial Member)


SH. H.P. CHATURVEDI (Judicial Member)

Dated 29.09.2016

National Company Law Tribunal
Allahabad Bench
Allahabad

CP No. 78/241-242/ALD/2016

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING OF ALLAHABAD
BENCH OF THE NATIONAL COMPANY LAW TRIBUNAL ON 29.09.2016.

NAME OF THE COMPANY: Sh. Girish Kumar Bansal & Ors.

Vs.

M/s R. R. Sheetagah Pvt. Ltd. & Ors.

SECTION OF THE COMPANIES ACT: u/s 241/242 of Companies Act, 2013.

Sl. No.	Name	Designation	Representation	Signature
1.	Mr. Arun Saxena	Adv	}	Respondents Nalini
2.	Ms. Nalini	Adv		

Order dated 29.09.2016

**CP No. 78(ND)/2016 Sh. Girish Kumar Bansal & Ors. Vs. M/s
R.R. sheetagarh Pvt Ltd & Ors.**

The Learned Counsel for petitioner insisted the matter to be heard urgently as the matter between the parties CP 131 of 2013 is heard in part today. We have refused to club this new matter with CP 131 by 2013, and we have directed that hearing of CP 131/2013 should be completed in all respects. On mentioning of this matter by Ld. Counsel for petitioner, Shri Aditya Nayar, Shri Arun Saxena appeared from all the respondents' and raised objections about the maintainability of the CP mainly on two grounds one is, there is a manipulation of documents and two, the petition is signed by a person who died in 2011. Shri Saxena urged that tribunal shall reject the CP at the threshold by invoking the inherent powers provided under Rule 11 of the NCLT Rules 2016.

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We are appreciating the efforts of Shri Saxena but at this stage the tribunal cannot inquire into the merits of the case and it can reject the proceeding only when it is able to find some fraud on its own without the intervention of any party, much less the respondents. The case on hand requires a thorough investigation with the help of respondents and therefore we permit the Ld. Counsel for respondents Shri Saxena to make an application for deciding the merits of the matter and for rejection thereof at the threshold. Matter is ordered to be listed on 26.10.2016 and in the meanwhile the respondent may file application for deciding maintainability of CP after serving copy on the other side.

List the matter on 26.10.2016.


SH. VSR AVADHANI (Judicial Member)


SH. H.P. CHATURVEDI (Judicial Member)

Dated 29.09.2016

National Company Law Tribunal
Allahabad Bench
Allahabad

CP No. 100(ND)/2012

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING OF ALLAHABAD
BENCH OF THE NATIONAL COMPANY LAW TRIBUNAL ON 29.09.2016.

NAME OF THE COMPANY: Sh. Rajeev Kumar Arora

Vs.

M/s Proview Rishabh Infra Pvt. Ltd. & Ors.

SECTION OF THE COMPANIES ACT: u/s 397/398 of Companies Act, 1956.

Sl. No.	Name	Designation	Representation	Signature
1.	Mr. Arun Saxena	Adv	{ Rec. 1, 2 (deceased), 3	Nalini
2.	Mr. Nalini	Adv.		
3.	Mr. Manish Jyoti	Adv.		
4.	Mr. Siddharth Singh		Petitioner	
			Petitioner	

Order dated 29.09.2016

CP No.100(ND)/2012 Sh. Rajeev Kumar Arora Vs. M/s Proview

Rishabh Infra Pvt. Ltd & Ors.

Shri Arun Saxena Learned Counsel for respondent reported that respondent No. 2 died recently and he will get instructions about the legal heirs. Matter is to be listed on 21.10.2016 to take necessary steps by the petitioner.

List the matter on 21.10.2016.


SH.V.S.R AVADHANI (Judicial Member)


SH. H.P. CHATURVEDI (Judicial Member)

Dated 29.09.2016

National Company Law Tribunal
Allahabad Bench
Allahabad

CP No. 131(ND)/2013

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING OF ALLAHABAD
BENCH OF THE NATIONAL COMPANY LAW TRIBUNAL ON 29.09.2016.

NAME OF THE COMPANY: Sh. Rajendra Singh & Ors.

Vs.

M/s R. R. Sheetgarh Pvt. Ltd. & Ors.

SECTION OF THE COMPANIES ACT: u/s 397/398 of Companies Act, 1956.

Sl. No.	Name	Designation	Representation	Signature
1.	Mr. Arun Saxena	Adv	} Petitioners	Habu
2.	Ms. Nalini	Adv		

Order dated 29.09.2016

**CP No. 131(ND)/2013 Sh. Rajendra Singh & Ors. Vs. M/s R.R.
Sheetgarh Pvt Ltd. & Ors.**

In C.A. 6 of 2016 the Learned Counsel for the petitioner reported no objection for receiving additional documents filed by the respondent. Therefore, C.A. No. 6 of 2016 is allowed and the documents filed therewith are ordered to be received subject to their relevancy. Heard the Learned Counsel for petitioner. For arguments of Learned Counsel for all the respondents posted to 26.10.2016.

List the matter on 26.10.2016.


SH. VSR AVADHANI (Judicial Member)


SH. H.P. CHATURVEDI (Judicial Member)

Dated 29.09.2016

National Company Law Tribunal
Allahabad Bench
Allahabad

80(ND)/2016

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING OF ALLAHABAD
BENCH OF THE NATIONAL COMPANY LAW TRIBUNAL ON 30.09.2016.

NAME OF THE COMPANY: Pradeep Kumar Garg.

Vs.

M/s Saharan Ashiyana Pvt. Ltd. & Ors.

SECTION OF THE COMPANIES ACT: u/s 397-398 of Companies Act, 1956.

Sl. No.	Name	Designation	Representation	Signature
1.	Mr. Arun Saxena	Adv.	} Petitioner	Nalin
2.	Ms. Nalini	Adv.		

Order dated 29.09.2016

**CP No. 80(ND)/2016 Pradeep Kumar Garg Vs. M/s Saharan
Ashiyana Pvt. Ltd. & Ors.**

Shri Arun Saxena Learned Counsel for the petitioner filed proof of service. Shri Manu Khare filed appearance for the respondent No. 4. Learned Counsel for petitioner brought to our notice that service is effected as per the affidavit. Respondents 1, 2, 3 and 5 to 7 remain absent inspite of service of notices. They are ex-parte. The respondent No. 4 shall file reply within two weeks. Today the application was moved by the Ld. Counsel for petitioner for giving certain directions to respondents for production of documents Ld. Counsel would also submit that the respondents have never honoured direction of the Bench to facilitate inspection of records.

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For
Compliance
29/9/2016

The petitioner is at liberty to move application for violation of the orders of the Bench, if so advised. The office shall scrutinize the applications and put up for notice; and counter within two weeks. Matter be listed on 21.10.2016 for hearing on the applications.

List the matter on 21.10.2016.


SH. VSR AVADHANI (Judicial Member)


SH. H.P. CHATURVEDI (Judicial Member)

Dated 29.09.2016