

National Company Law Tribunal

Allahabad Bench

CP NO. 87/ALD/2017

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING OF ALLAHABAD BENCH OF THE NATIONAL COMPANY LAW TRIBUNAL ON 31.08.2017

NAME OF THE COMPANY: Shashi Janweja vs Jaiprakash Associates Ltd

SECTION OF THE COMPANIES ACT: U/S 73(4) of the companies act of 2013

<u>Sl. NO.</u>	<u>Name</u>	<u>Designation</u>	<u>Representation</u>	<u>Signature</u>
1.	R. P. Agarwal	Adv.	Resp.	R. P. Agarwal
2.	Prakhar Tandon	Adv.	Petitioner	Prakhar Tandon

CP No.87/ALD/2017

Advocate, Sri Prakhar Tandon proxy for the petitioner counsel. Advocate, Shri R.P. Agarwal, learned counsel for the respondent company.

The case is fixed today for the hearing. The respondent company files affidavit dated 28.8.2017 of Shri Mr. K.M. Abraham, the Resident Manager of the Company that the amount due on deposit, inclusive of the interest accrued thereon till date of maturity has now been paid to the petitioner through cheque. Hence, the present petition now become infructuous and accordingly to be dismissed.

At this stage, Sri Prakhar Tandon, petitioner counsel would submit that the petitioner has received payment of maturity amount including interest till date of maturity date. However, further interest accrued thereon or interest on the delayed payment has not been paid. Hence, he prays for an appropriate order to be passed by this Tribunal.

We see that the petitioner company has paid the entire amount on maturity value of FD. The issue of accrual of interest, rate of interest or interest/compensation on delayed payment are being disputed question of facts needs to be determined by an appropriate court having proper jurisdiction. Therefore, the petitioner is at liberty to file proper application before an appropriate Forum including this Bench for making such claim and the matter would be dealt with in accordance with law.

With the above stated observation, the present petition is finally disposed of.

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Date – 31.08.2017

Shri H.P. Chaturvedi, Member (Judicial)