

NATIONAL COMPANY LAW TRIBUNAL  
MUMBAI BENCH, MUMBAI

T.C.P No. 13/(MAH)/2016  
CA No.

CORAM:



Present: SHRI B.S.V. PRAKASH KUMAR  
MEMBER (J)

SHRI V. NALLASENAPATHY  
MEMBER (T)

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING OF MUMBAI BENCH OF  
THE NATIONAL COMPANY LAW TRIBUNAL ON 19.09.2016

NAME OF THE PARTIES: M/s. Man Industries (India) Ltd.  
V/s.  
M/s. Man Infraprojects Ltd. & Ors.

SECTION OF THE COMPANIES ACT: 397/398 of the Companies Act 1956  
and 241/242 of the Companies Act, 2013.

S. No.	NAME	DESIGNATION	SIGNATURE
1	Rajmankar Vamla 1/b Nardolgaonkar Associates	Adv. for Respondent Nos. 1	
2.	Mr. Prateek Seksaria 1/b Kanga & Company Advocates for Petitioner	Counsel	

Order

CP No. 13/397-398/CLB/MB/MAH/2016

The Respondent side filed two CAs – CA 41/2016 seeking dismissal of CP on the ground that Company Petition is hit by Section 8 of the Arbitration and Conciliation Act and another CA 42/2016 seeking dismissal of CP as not maintainable on the ground that this Petitioner has no entitlement over Shareholding claimed in the Company petition. The counsel of the Respondents further submits that, basing on the scheme of arrangement passed by the Honorable High court of Bombay in a

Company Appeal 57/2013 in CP 72/2012, this Petitioner has to transfer his shares to the Respondent side.

The Respondent Counsel has also sought time to file additional documents reflecting subsequent events taken place after filing this CP. On their Request, the Respondents' side is directed to file documents within 10 days, reply if any from the petitioner side, within 10 days thereof.

For having this Bench<sup>noticed</sup> that the Respondent side has established prima facie case that it is a case fit for taking up Section 8 Application and maintainability Application for hearing before hearing main petition, therefore this Bench directs the parties to argue on CA 41 & 42 on the next date of hearing.

List this matter for hearing on 14.<sup>10</sup>~~01~~.2016.

Sd/-

**B.S.V. PRAKASH KUMAR**  
Member (Judicial)

Sd/-

**V. NALLASENAPATHY**  
Member (Technical)