

NATIONAL COMPANY LAW TRIBUNAL
MUMBAI BENCH, MUMBAI

C.P No. 93/(MAH)/2012
CA No.

CORAM:

Present:

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

SHRI V. NALLASENAPATHY
MEMBER (T)

ATTENDENCE-CUM-ORDER SHEET OF THE HEARING OF MUMBAI BENCH OF
THE NATIONAL COMPANY LAW TRIBUNAL ON 27.09.2016

NAME OF THE PARTIES: Mr. Anilkumar Poddar
V/s.
M/s. Reliance Strategic Investments Ltd.

SECTION OF THE COMPANIES ACT: 163 of the Companies Act 1956.

<u>S. No.</u>	<u>NAME</u>	<u>DESIGNATION</u>	<u>SIGNATURE</u>
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COMMON ORDER

CP No. 24/2014, CP No. 26/2014, CP No. 05 to 9/2013, 11 to 15/2013 & 17/2013, 25 to 69
& 93 to 111/2012, 20 to 29/2013, 54/2013, 55/2013, 73/2013, 74/2013

The maintainability point the Petitioner raised has already been dismissed vide order dated 26.09.2016 yesterday. This very petitioner yesterday agreed in the open court for making his submissions in the main Petitions on merits in case the maintainability point raised by him has not been turned down by this Bench, but this Petitioner who normally appears and argues in person, is not present today. He has remained absent by sending long email for adjournment of these matters for two months enabling him to take legal opinion over this issue. He again reiterated what all arguments he advanced on 26.09.2016 in the email today sent for seeking adjournment. For perusal, his email is annexed to this order.

This Bench can't understand under what provision, he has right to ask this Bench to refer these applications to higher Courts on jurisdictional issue, in case, this Petitioner is aggrieved by any order passed by this Bench, the recourse to him is to file an Appeal over the order of this Bench but not to send emails of this nature when

ample opportunity was given to this Petitioner to argue upon maintainability point, in fact argued at length.

This Bench regrets to record that the conduct of the Petitioner herein is unethical to skip this hearing to which himself agreed to argue on merits of the case.

However, this Bench, in the interest of expeditious disposal of pendency of almost hundred cases of same nature filed by this petitioner against various listed companies, hereby directs the Registry to register 20 cases each in the coming week from 3rd October to 7th October 2016.

sd/-

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

sd/-

V. NALLASENAPATHY
Member (Technical)

Subject: ADJOURNMENT OF HEARING AS FIXED ON 27.9.2016 TO SOME DAY AFTER SIXTY DAYS.

Date: 09/27/16 12:02 AM

From: ANIL PODDAR <anilpiyush@yahoo.co.in>

Reply-To: ANIL PODDAR <anilpiyush@yahoo.co.in>

To: "bo.mum.clb@nic.in" <bo.mum.clb@nic.in>,
Vipul Shukla <vipillegal@yahoo.co.in>,
"asdlaw@vsnl.net" <asdlaw@vsnl.net>,
"gaurav@ril.com" <gaurav@ril.com>,
Dave Ashwin <ashwin.m.dave@ril.com>,
"ambani.mukesh@ril.com" <ambani.mukesh@ril.com>,
"K. Sethuraman" <k.sethuraman@ril.com>,
"vishal.javeri@ril.com" <vishal.javeri@ril.com>,
"rohit.shah@ril.com" <rohit.shah@ril.com>,
"vinod.ambani@ril.com" <vinod.ambani@ril.com>,
"vinod_ambani@ril.com" <vinod_ambani@ril.com>,
"RELIANCE INDUSTRIES LTD." <investorrelations@ril.com>,
"mukesh.ambani@ril.com" <mukesh.ambani@ril.com>,
Sudhakar Saraswatula <sudhakar.saraswatula@ril.com>

26th September 2016

The Bench Officer,
National Company Law Tribunal
MTNL Building, 6th floor,
Church Gate, Mumbai

Dear Sir,

Ref: Adjournment of hearing fixed for hearing on 27.9.2016 in the matter u/s.219 and 163 of Companies Act 2013.

I draw your kind attention that I am petitioner in person in all above petitions.

Sir, I attended hearing on 26.9.2016 and furnished followings to Hon'ble Member during the course of hearing on jurisdiction points :-

- 1) Copy of order passed by NCLT, Ahmadabad on 8.9.2016 in the matter of Anil Kumar Poddar Vs. Osian Industries Ltd in the matter u/s.219 of Companies Act 1956.
- 2) Copy of MCA Notification No.S.O.891(E) dt.31.3.2015 with regard to power function vested under sub section (5) of Section 94 of Companies Act 2013
- 3) Copy of order passed by Delhi High Court in the matter of Anil Kumar Poddar Vs. Edynamic Solutions Ltd in the Writ Petition No.W.P.(C)2404/2015 wherein my writ petition is pending before

9) Sir, I am binding by judicial pronouncement on 8.9.2016 by NCLT, Ahmadabad in which I am the petitioner. Further I argued before Hon'ble Bench on 18.7.2016 in several matters and the order passed by the bench on that day on 18.7.2016 has not been uploaded till today though the petitions were disposed off and dictation was given by Hon'ble member in open court on 18.7.2016 but the orders have not been uploaded nor the copy of orders were provided to me. In view of this I would pray before the bench to adjourn the hearing for at least sixty days to enable me to take legal opinion.

10) Sir, further I pray before the bench to keep not more than ten cases for hearing in a day as the fact of each case is different and keeping ninety cases in a day not only confuse me as a petitioner but it will create unnecessary confusion during hearing and argument so I pray before this bench to keep less than ten cases in a day for hearing as speedy trial is good but justice hurried is justice buried as decided by Hon'ble Supreme Court in several cases.

Sir, in view of above I pray before this Hon'ble Bench to adjourn the matters for at least sixty days and post the matters for hearing during last week of November 2016 and for this act of your kindness I shall be highly obliged.

Thanking you,

Yours faithfully,

ANIL KUMAR PODDAR
PETITIONER IN PERSON
9/12, LAL BAZAR STREET,
3RD FLOOR, 'E' BLOCK,
KOLKATA-700 001.

NATIONAL COMPANY LAW TRIBUNAL
MUMBAI BENCH, MUMBAI

T.C.P No. 93/(MAH)/2012
CA No.

CORAM:

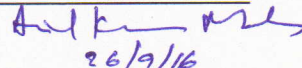
Present: SHRI B.S.V. PRAKASH KUMAR
MEMBER (J)

SHRI V. NALLASENAPATHY
MEMBER (T)

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SECTION OF THE COMPANIES ACT: 163 of the Companies Act 1956.

S. No.	NAME	DESIGNATION	SIGNATURE
1.	ANIL KUMAR PODDAR	Anilkumar	 26/9/16

COMMON ORDER

CP No. 24/2014, CP No. 26/2014, CP No. 05 to 9/2013, 11 to 15/2013 & 17/2013, 25 to 69 & 93 to 111/2012, 20 to 29/2013, 54/2013, 55/2013, 73/2013, 74/2013

The Petitioner for first time has raised a point saying that since the issues involved in all the above mentioned CPs have not been covered u/s. 94, 136 analogues to old Sections 163 and 219 of the Act 1956, the petitioner wants dismissal of the Company Petitions filed under the old Act.

On the hearing the rival contentions over this issue, this Bench posted for pronouncement of orders today, list this matter for hearing on 27.09.2016.

sd/-
B.S.V. PRAKASH KUMAR
Member (Judicial)

sd/-
V. NALLASENAPATHY
Member (Technical)