

NATIONAL COMPANY LAW TRIBUNAL
MUMBAI BENCH, MUMBAI

T.C.P No. 09/(111)/MAH/2013
CA No.

CORAM:

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


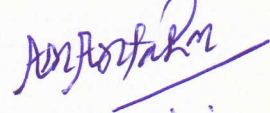
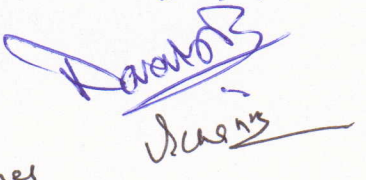
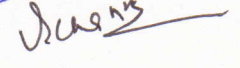
SHRI V. NALLASENAPATHY
MEMBER (T)

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING OF MUMBAI BENCH OF
THE NATIONAL COMPANY LAW TRIBUNAL ON 11.11.2016

NAME OF THE PARTIES: Ms. Amita Buhariwala
V/s.
M/s. NHB Agro Industries Pvt. Ltd.

SECTION OF THE COMPANIES ACT: 111 of the Companies Act 1956.

S. No.	NAME	DESIGNATION	SIGNATURE
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1)	Am D'Souza	PCG for Pet.	
2)	Ajay Antarkar	PCS for Resp	
3)	Dorabai Buhariwala	Director	
4)	Vinod Ichane	Adv for Petitioner	

Common Order

CP No. 08 to 10/111/CLB/MB/MAH/2013

Upon constitution of NCLT Bench at Mumbai, this matter came up for hearing on 24.8.2016 and on 26.8.2016. Both the times, this Petitioner remained absent, thereafter, when this matter came up for hearing on 19.9.2016, this Petitioner in person was present seeking an adjournment on the ground that her Counsel was not appearing. On such request, the Bench peremptorily directed the Petitioner to argue this matter on the following date of hearing, but on the following date of hearing also, this Petitioner again sought adjournment on the same ground. Considering the request of the Petitioner, this matter was again posted for hearing on 11.11.2016 i.e. today, directing both the Petitioner side and Respondent side to file their written submissions in all three Company Petitions within two days before 11.11.2016 i.e. today, but today when the matter has come up for hearing, now this Petitioner Counsel has

come with a different excuse saying that the Petitioner side moved a Transfer Application before Principal Bench NCLT. Since it was dismissed by NCLT Principal Bench, she filed an appeal over the Order of the Principal Bench and the same is yet to be listed, hence sought time of four weeks for her matter to come up before NCLAT.

This Bench, on seeing the chequered history of the progress of this case, does not feel it right to postpone the matter time and again on considering the requests made by the Petitioner.

However, since the Petitioner Counsel has stated that it would take atleast one-week time for mentioning before NCLAT, this Bench hereby gives 10 more days to the Petitioner side to place their written submissions and argue the matter, or else, if no stay is granted by NCLAT, this Bench will proceed with hearing the matter, considering the pleadings of either side, in the event the Petitioner again seeks any adjournment on the next date of hearing.

The Respondent side volunteered that they have already filed their side of written submissions as directed by this Bench, but whereas, the Petitioner side has not filed written submissions as directed by this Bench, today the Petitioner has come with a request as abovementioned.

List this matter for hearing on 2.12.2016.

sd/-

B.S.V.PRAKASHKUMAR
Member (Judicial)

sd/-

V. NALLASENAPATHY
Member (Technical)