

NATIONAL COMPANY LAW TRIBUNAL
MUMBAI BENCH, MUMBAI

T.C.P No.25/(MAH)/2016
CA No.

CORAM:

Present: SHRI M. K. SHRAWAT
MEMBER (J)

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING OF MUMBAI BENCH OF
THE NATIONAL COMPANY LAW TRIBUNAL ON 09.09.2016



NAME OF THE PARTIES: Mrs. Chandrasena Vishwas Patil

V/s.

M/s. Shah and Jain Construction Pvt. Ltd.

SECTION OF THE COMPANIES ACT: 241, 242, 244 of the Companies Act,
2013.

S. No.	NAME	DESIGNATION	SIGNATURE
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1)	Pritesh Rajgor Adv. Ravi Prakash Ramati Patra Subir Kumar, Adv.	Advocate for Respondent a-1	
2)	Gaurav Joshi Sr Adv.	Petitioner	

Order

C.P. No. 25/241-242, 244/NCLT/MAH/2016

1. Both the Counsels are present. A mention has been made from the side of the petitioner and informed that she is one of the Director with 36% share holding.
2. Petitioner ~~is~~ stated that Respondent is served with a copy of petition on 06.09.2016. However, Reply of Respondent is awaited. As per consent of Ld. Counsel for Respondent No. 1, reply shall be filed by 14.10.2016 and rejoinder if any shall be filed by 28.10.2016. The matter i.e., C.P. 25 is listed for further adjudication on 15.11.2016.

MKS

3. To redress the mention an interim relief has been given as follows;
- (i) Respondent No. 1 shall provide the accounts for financial year from 2014-15 & 2015-16 to Petitioner within 2 weeks.
 - (ii) Respondent No. 1 and other Respondents shall not pass any resolution regarding the change in the share holding pattern
 - (iii) As on date as per the records of Registrar of Companies the shareholding of Petitioner is 36%; Status Quo in this regard shall be maintained till further order.
 - (iv) The board meetings or any EGM shall not take place without proper notice to the Petitioner
4. Petitioner is also directed to participate in an amicable manner in the meetings.
5. Since the Company is in the business of Real Estate, therefore it is not in the interest of day to day business of the Company to pass an injunction in respect of the immovable properties. However, no major ^{decision} ~~division~~ in respect of properties of the Company shall take place unless duly communicated through notice to the Petitioner. MKS
6. The schedule of compliance and the next date of hearing is duly communicated to both the parties in the Court

Dated: 09.09.2016

sd/-

Shri M.K. Shrawat
Member (Judicial)