


**NATIONAL COMPANY LAW TRIBUNAL
BENGALURU BENCH
COURT NO.1**

ATTENDANCE CUM ORDER SHEET OF THE HEARING OF NATIONAL COMPANY LAW TRIBUNAL,
BENGALURU BENCH, BENGALURU, HELD ON 15.06.2017.

PRESENT: 1. Hon'ble Member(J) **Shri Ratakonda Murali**
2. Hon'ble Member(T) **Dr. Ashok Kumar Mishra**


C.P. No. or C.A. No.	T.P. No.	Purpose	Section	Name of the Parties M/s. / Mr.
CP 107/16	TP 172/17	For Clarifica- tion	391/394	ORCC Solutions Pvt. Ltd.

SL. NO.	NAME (IN CAPITAL) & PHONE NUMBER	REPRESENTATION TO WHOM	SIGNATURE
1.	MURALI ANANTHASIVAN	} Counsel for Petitioners	
2.	Perikal .K. ARJUN		

Today the matter is listed for clarification with regard to the application of the decision rendered by the Hon'ble High Court of Karnataka in the Nokia Cement Network India Pvt. Ltd. The Bench sought clarification from the counsel whether the decision rendered under a repealed Act of 1956 can be relied by the petitioner company for deciding the present case which is to be dealt under the provisions of Sections 230-232 of Companies Act, 2013. It is the contention of the learned counsel that the principle laid down in the decision nevertheless is applicable to the facts of the case even though it is decided under the provisions of the amended Companies Act, 2013. Counsel also has relied on Section 465 (2)© of the Companies Act, 2013 and contended that the practice which was followed in the High Court of Karnataka is an established practice and it is saved even after transfer of the case from the High Court to the Tribunal.

List it for orders on 20.06.2017.


MEMBER (J)


MEMBER (T)