



**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 29.06.2017.

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 17/2017	-	Hearing	241/ 242	Mr. Puthucode Vaidyanathan Balasubramanian & Others Vs M/s. Rinac India Ltd., & Others

SL. NO.	NAME (IN CAPITAL) & PHONE NUMBER	REPRESENTATION TO WHOM	SIGNATURE
23	KARAT JOSEPH	Mr Puthucode Vaidyanathan Balasubramanian & Oas (Petitioners)	Karat Joseph
	SUBRAMANYA.K	Respondent no. 2	
	Praveen Kumar Hirumath	Respondent No.3	
			P.T.O.

Counsel for petitioner is present. Counsel for respondents are also present.

Perused the office note. Counsel for petitioner informed that the memo is just filed for withdrawing the petition filed by the petitioner since the petitioner has already moved the Hon'ble Bombay High Court for the similar relief and therefore, there is no need for the petitioner to proceed with the matter before this Tribunal.

Counsel for respondent No.3 informed the Tribunal that the conduct of the petitioner may be recorded for the reason that they have already moved this Tribunal and thereafter, again the petitioner has approached the Hon'ble Bombay High Court for the same kind of relief. Thus, the petitioner has approached two forums at a time seeking the same relief causing inconvenience to the respondents.

The petitioner who has filed this petition for oppression and mismanagement under Sections 241 and 242 against the respondents. Now the petitioner has filed this memo for permission to withdraw this petition. The petitioners are trying to withdraw the petition filed by them. The respondents cannot object the petitioner to withdraw the petition. Further, the respondents have no objections to grant permission to withdraw the main petition. They wanted the Tribunal to record the conduct of the petitioner in moving two forums for the same relief. Since, the petitioner has moved this memo for permission to withdraw the main petition, therefore, permission can be granted to the petitioner to withdraw the main petition and there is no need to record any conduct of the petitioner.

Counsel for petitioner contended that as the respondents have filed application under Section 8 stating that the Tribunal has no jurisdiction to entertain this petition, therefore, the petitioner had to move the Hon'ble Bombay High Court. Therefore, the petitioner has moved this Tribunal to withdraw the petition.

In the result, memo is allowed. Petitioner is permitted to withdraw the main petition. The petition is therefore, dismissed as withdrawn vide separate orders.



MEMBER (J)



MEMBER (T)