

**NATIONAL COMPANY LAW TRIBUNAL,
CHANDIGARH BENCH, CHANDIGARH.**

**CP No.15/05/2016
RT CP No.161/Chd/Hry/2017**

In the matter of:

Mr.Rajendra Kumar & sons (HUF).Petitioner.

Versus.

M/s Yamuna Power and Infrastructure Ltd.Respondent.

Present: Mr.Deepak Jain, Mr.Tanpreet Gulati and Ms.Twisha Issar,
Advocates for petitioner.
Mr.Pradeep Nauharia, Advocate for respondent.

Affidavit of the authorised representative of the respondent company has been filed in compliance with the directions issued vide order dated 08.12.2017. The same be taken on record.

With regard to the controversy of the company going to the Dissemination Board, the learned counsel for the respondent company submits that the company would act upon the request of the petitioner company for transfer of shares on the basis of valid documents. The learned counsel further submits that the company has accepted the transfer of the shares even after the company going into Dissemination Board.

With regard to the folio number of Fatima Multanwala, it is stated by learned counsel for the respondent that the folio number is F-06 which still stands registered in the name of Fatima Multanwala in the record of the company. It has further been stated that the company has the reasons to believe that the signatures on the transfer deed in respect of Fatima Multanwala are not genuine. It is directed that the authorised

representative of the company shall cause to produce the original record of the specimen signatures of Fatima Multawala and also the original file of folio No.F-06 before the Tribunal on the next date.

The learned counsel for the petitioner submits that the petitioner has been able to receive the original certificates, which were taken in possession by the Income Tax Department. Having heard learned counsel for the parties, it is directed that in the meanwhile, the respondent company shall pass appropriate orders with regard to the transfer of the shares on lodging of the original shares i.e. 5520 shares and 140 shares in the name of Kusum Gupta within one month from the date of lodging of the shares with the company.

In respect of 140 shares of Vijay Kumar, learned counsel for the petitioner submits that the original shares were delivered to the company, but that fact is denied. The respondent company shall prepare the draft of the indemnity bond to be furnished in this regard by the petitioner with regard to the issuance of duplicate certificates and thereafter to transfer of the said shares on lodging those duplicate shares with the company.

List the matter now on 27.02.2018.

Sd/-
(Justice R.P.Nagrath)
Member (Judicial)

January 11, 2018.
Ashwani