

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

**CP NO. 72/Chd/Pb/2016
alongwith CA No. 112 of 2017**

Mr. Pradeep Chaudhary & Ors. ...Petitioners.

Versus

M/s New Suraj Transport Co. Pvt. Ltd. & Ors. ...Respondents.


Present: Dr. Rajansh Thukral, Advocate with Ms. Surekha Thukral,
Advocate for petitioners.
Mr. Alok Kumar Jain, Advocate for respondent Nos. 5 & 9 to 13.
Mr. A.K. Chopra, Advocate for respondent No. 4.

Copy of CA No. 112 of 2017 dated 06.06.2017 has been supplied to the learned counsel for the petitioners. Learned counsel for the petitioners submits that the ex-parte proceedings may be set aside but subject to payment of costs as the case has unnecessarily been delayed. Learned counsel for respondent Nos. 5 & 9 to 13 submits that he could not come on 24.05.2017 due to some personal difficulty but it is to be seen that the matter was pending for filing of reply since long. In view of the above, the ex-parte proceedings against respondent Nos. 5 & 9 to 13 are set aside subject to payment of ₹5000/- as costs to the petitioners to be paid on the next date. Application stands disposed of.

Respondent Nos. 5 & 9 to 13 shall file reply to the main petition within three weeks with copy advance to the counsel opposite as well as counsel for respondent No. 4. Learned counsel for respondent No. 4 shall also supply copy of his reply to Mr. Alok Kumar Jain, Advocate. The appropriate application with regard to discharge of respondent Nos. 5 & 9 to 13 as observed in the order dated 24.05.2017 may also be filed within three weeks

with copy advance to the counsel for the petitioners as well as respondent No. 4.

The matter be listed on 18.09.2017. The petitioners may file rejoinder, if any, at least three days before the date fixed. Mr. A.K. Chopra, Advocate also seeks time to file additional affidavit with documents. Let the same be filed at least three days before the date fixed with copy advance to the counsel opposite.



(Justice R.P. Nagrath)
Member (Judicial)

✓ August 14, 2017
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