

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

CP NO. 65/2016

M/s Hind Motors India Ltd. & Anr.

...Petitioners.

Present:

Ms. Riya Bansal, Advocate for petitioners.

Mr. Satya Pal Singh, Assistant Registrar of Companies, Chandigarh.

Mr. Alok Kumar Jain with Mr. Sandeep Saini, Advocates for depositors at Sr. No. 66, 67, 69, 70, 224, 375, 529, 530, 554, 578, 51, 196, 582, 583, 584, 603, 604, 605, 617 and 618 of Annexure XIII.

Mr. Parveen Gupta, Advocate for depositors at Sr. No. 585, 329, 477, 470, 656, 657, 330 and 522 of Annexure XIII. Also representing Mr. Rajinder Pal Singh Kang, depositor at Sr. No. 54, 55, 59 and 61 of Annexure XIII.

Mr. Raj Shekhar, Advocate for Dr. Manmohan Kaur depositor at Sr. No. 4 and 24 of Annexure XIII.

Mr. Sumit Soni, depositor in person at Sr. No. 495 of Annexure XIII.

Ms. Shashi Soni, depositor in person at Sr. No. 249 of Annexure XIII.

Mr. S.K. Agnihotri, depositor in person for self and for his son at Sr. No. 633 and 635 of Annexure XIII.

Ms. Namrata Sharma, depositor in person at Sr. No. 264 of Annexure XIII.

Ms. Ritu Sharma, depositor in person at Sr. No. 296 of Annexure XIII.

Mr. Sandeep Bhalla depositor in person and for his son Mr. Paras Bhalla and wife Ms. Snigdha Bhalla and mother Ms. Sushila Kachru at Sr. No. 531 and 532, 478, 479, 678, 660, 480, 481 and 482 of Annexure XIII.

Ms. Krishanjit Kaur, depositor in person at Sr. No. 93, 625 and 18 of Annexure XIII.

Mr. Ashok Sachdeva, Authorised Representative for depositors at Sr. No. 52, 57, 58, 166, 365, 368, 145, 420, 421, 422, 428, 437, 588, 146, 144, 158, 268, 159, 340, 601, 129, 130, 128, 157, 435, 370, 504, 408, 409, 286, 423, 424, 503, 600, 345, 417, 488 of Annexure XIII.

Mr. Ram Kumar Sangar for Ms. Gopika Kahol and Ms. Geeta Sudha Sangar.

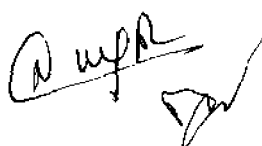
Mr. O.P. Dabla, depositor in person at Sr. No. 471 of Annexure XIII.

Learned counsel for the petitioners submits that no rejoinder to the rest of the objections is to be filed and rejoinder already filed to the objections of some of the objectors represented by Shri Alok Kumar Jain,



Advocate may be considered in respect of rest of the objections. Learned counsel for the petitioners also submits that she has prepared a list of the amount of fixed deposits relating to number and the amount of fixed deposits in respect of the depositors of different ages as observed in the order dated 17.01.2017 but the same has to be duly attested by the Managing Director of the company with affidavit. Let the same be filed at least two days before the date fixed with advance copy to the other side. There is also a written request from Ms. Eshna Kumar, Advocate for some of the depositors for adjournment. Having heard learned counsel for the parties the petitioners are directed to supply the following statements/ documents:-

- (i) Rent agreement of letting out the portion of the property of M/s Hind Motors (Scooter Division) and others.
- (ii) The detailed list of the properties of the company as well as that of directors of the petitioners' company (P-1 and P-2) and the proprietorship concerns of the Directors and their spouses and to state clearly what nature of charge has been created by the company.
- (iii) Copies of notice under Section 13(2), 13(4) and 14 of SARFAESI Act, 2002, if any, issued by the bank from where loans were taken by the petitioners.
- (iv) The documents in proof of the fact that the bank has taken possession of the properties of petitioners and, if so, the particulars of such property of the company.

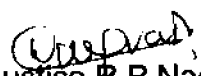


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The affidavit of the Managing Director shall also state the outstanding bank loans to be paid up to 31.03.2016 in respect of both the petitioners. Let the same be filed at least two days before the next date i.e. 13.02.2017 with advance copy to the other side. Failing to comply with the aforesaid directions, the Managing Director would appear in person. In case the compliance is made the authorised representative of the company conversant with the affairs of the company would also appear in person to clarify the relevant points.

List the matter for 13.02.2017 for arguments and if the arguments are not concluded will be listed for 16.02.2017 for rest of the arguments.

By the next date petitioners would also examine the representations received from the depositor(s) who are suffering from serious ailments including Ms. Rashmi Jain, one of the depositors and also file list of other depositors, who have already died, in compliance of the previous order.


(Justice R P Nagrath)
Member (Judicial)


(Deepa Krishan)
Member(Technical)

January 31, 2017
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