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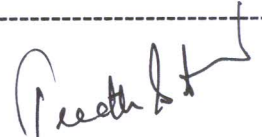
NATIONAL COMPANY LAW TRIBUNAL
DIVISIONAL BENCH
CHENNAI

ATTENDANCE CUM ORDER SHEET OF THE HEARING OF CHENNAI BENCH, CHENNAI
NATIONAL COMPANY LAW TRIBUNAL, HELD ON 02/02/2017 AT 10.30 AM

PRESENT: SHRI K. ANANTHA PADMANABHA SWAMY, MEMBER-JUDICIAL
SHRI Ch. MOHD SHARIEF TARIQ, MEMBER-JUDICIAL

APPLICATION NUMBER :
PETITION NUMBER : CP/2/2017
NAME OF THE PETITIONER(S) : Ashok Kumar Kanodia & 2 others
NAME OF THE RESPONDENT(S) : M/s Raghav Industries Limited & 2 others
UNDER SECTION : 397/398

| S.No. | NAME (IN CAPITAL) | DESIGNATION | SIGNATURE |
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| REPRESENTATION BY WHOM | | | |
|------------------------|--|---------------------------|--|
| 1. | ROHAN RAJASEKARAN PREETHI - S. ARASU for S.R. Jayagopal . S.R. Raghunathan . | Counsel for Petitioners . |  |

ORDER

Shri Rohan Rajasekaran, representing senior counsel for petitioners present. Perusal of the record shows that the respondents caused appearance in the matter on 28/4/2014 and have been directed to file counter to the numbered petition within a period of four weeks. Thereafter on 24/8/2016, counsel for petitioner appeared stating that the matter is likely to be settled with the respondents. But on that date also, the respondents did not appear. On 9/9/2016, this Bench has noticed that due to some deficiencies, the petition has not been numbered and the Registry was directed to verify the documents as to the maintainability of the petition and if the requirements are fulfilled, the

petition be numbered. There is nothing on record to show that this Registry has made any note as to the details that all the required documents have been placed to satisfy the requirements of Sec.399 of the Companies Act, 1956. However, a small endorsement has been made by Deputy Registrar on 12th of January 2017 and the petition has been numbered as CP/2/2017. The matter has come up today, and the counsel for petitioner made his appearance. But there is no representation on behalf of the respondents. This Bench is placing the cause list on the website of the NCLT page by which the respondents are supposed to have information about this case to be listed today. However, we feel that in the interest of justice, the counsel for petitioners has to issue private notice to the respondents and file proof of service alongwith an affidavit by the next date of hearing. During the course of hearing, the counsel for petitioners have pressed for grant of interim relief contained in Para 9(b) of the petition. He has submitted one communication that has been made by the Vice President of the R1 company to M/s. TASMA Dindugul, stating that they are likely to sell land, building without machineries, HT supply and electricals, which the petitioner confirms is the part of the assets of the R1 company. Based on this, the petitioners are pressing hard for grant of injunction as stated under sub para (b) of Para 9 of the petition. After hearing the Counsel for Petitioner, we are inclined to grant injunction restraining the respondents, their men, servants, persons, claiming or acting through or under them for and on their behalf from, in any manner, whatsoever, alienating encumbering or otherwise dealing with the property described in the schedule to the petition, pending disposal of the petition. The Registry is also directed to send Notice to the Respondents for their appearance and for filing of the counter in the matter. Put up on **27/2/2017 at 10.30 A.M.**


(Ch. Md. Sharief Tariq)
Member (Judicial)


(K. Anantha Padmanabha Swamy)
Member (Judicial)