

NATIONAL COMPANY LAW TRIBUNAL
DIVISION BENCH
CHENNAI

(10)

ATTENDANCE CUM ORDER SHEET OF THE HEARING OF CHENNAI BENCH, CHENNAI
NATIONAL COMPANY LAW TRIBUNAL, HELD ON 05/09/2017 AT 10.30 AM

PRESENT: SHRI Ch. MOHD SHARIEF TARIQ, MEMBER-JUDICIAL
SHRI S. VIJAYARAGHAVAN, MEMBER-TECHNICAL

APPLICATION NUMBER :
PETITION NUMBER : TCP/403/ (IB)/2017
NAME OF THE PETITIONER(S) : C.T. NARAYANAN
NAME OF THE RESPONDENT(S) : SHRI BALAJEEVA FOUNDATIONS PVT LTD
UNDER SECTION : 433 (e)(f)

S.No.	NAME (IN CAPITAL)	DESIGNATION	SIGNATURE
		REPRESENTATION BY WHOM	

1. B. Dhanaraj -

u to etc -

B. Dhanaraj

2. R. VIDHYASHANKAR
R. ASHOK KUMAR }

Counsel For Respondent

A. Shukla

ORDER

Counsel for both the parties are present. The orders dated 28.11.2016 and 05.01.2017 passed in C.P.No.336/2014 by the Hon'ble High Court of Madras have not been brought to our knowledge. After the hearing fixed on 23.08.2017, the Corporate Debtor has filed the Additional Counter, which shall form part of the record. However, perusal of the orders dated 28.11.2016 and 05.01.2017, which have been brought to our knowledge by the Court Master, reveals that the Respondent Company has been served and the counter has been filed before the Hon'ble High Court of Madras. The requirement of the notice under Rule 26 of the Company (Court) Rules, 1959 is fulfilled as the Hon'ble High Court of Madras is seized of the matter. Therefore, the **Registry** is directed to send file back to the Registry of the Hon'ble High Court of Madras for doing the needful at their end. It is also placed on record that the index that has been made available by the Registry of the Hon'ble High Court of Madras to this bench does not show the filing of the counter. Counsel for the Petitioner has raised the objection that the additional counter filed before the Registry of NCLT cannot form part of the record. However, on this issue the respective Counsels may make the submissions before the Hon'ble High Court of Madras at the time of hearing.

MEMBER (TECHNICAL)

MEMBER (JUDICIAL)