



**NATIONAL COMPANY LAW TRIBUNAL
DIVISIONAL BENCH
CHENNAI**

**ATTENDANCE CUM ORDER SHEET OF THE HEARING OF CHENNAI BENCH, CHENNAI
NATIONAL COMPANY LAW TRIBUNAL, HELD ON 06/04/2017 AT 10.30 AM**

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

APPLICATION NUMBER :
PETITION NUMBER : TCP/122/2016
NAME OF THE PETITIONER(S) : V. Kesavamurthi
NAME OF THE RESPONDENT(S) : Sands Utility Services Private Limited & 3 others
UNDER SECTION : 397/398

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

1.	S. Manoj Kumar (For. B. Dhanaraj)	counsel for petitioners	
2.	THRIYAMBAK KANNAN	counsel for Respondents	

ORDER

Shri B Dhanaraj, counsel for petitioner present. Shri Thriyambak Kannan, counsel for respondents present. Counsel for the petitioner filed an application which is unnumbered and the same has been filed in the Registry on 22.03.2017 wherein he has prayed to set aside the order dated 25.1.2017 passed by this Tribunal under which the right of filing rejoinder was forfeited. In the application, the reason stated is the misplacement of certain documents, ailment of his wife and change of the counsel as well. After hearing the submissions and looking to the contents of the application, the explanations given are considered sufficient for setting aside the said order. Counsel for respondents has not raised any objection in regard to the rejoinder which has already been filed. In view of the facts deposed in the affidavit given by the respondent and

particularly the fact that the other side did not oppose the application, we allow the application by exercising the powers conferred under Rule 11 of the NCLT Rules, 2016 and set aside the order dated 25.1.2017 in order to meet the ends of justice and allow the rejoinder to be taken on record. Pleadings are complete. The matter is posted for final arguments. Put up on 02.06.2017 at 10.30 A.M.


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


(K. Anantha Padmanabha Swamy)
Member (Judicial)