

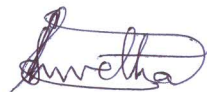


**NATIONAL COMPANY LAW TRIBUNAL
SPECIAL BENCH
CHENNAI**

**ATTENDANCE CUM ORDER SHEET OF THE HEARING OF CHENNAI BENCH, CHENNAI
NATIONAL COMPANY LAW TRIBUNAL, HELD ON 14/02/2017 AT 10.30 AM**

PRESENT: ~~SHRI CH. MOHD SHARIEF TARIQ, MEMBER-JUDICIAL~~
SHRI Ch. MOHD SHARIEF TARIQ, MEMBER-JUDICIAL

APPLICATION NUMBER :
PETITION NUMBER : TCP/172/2016
NAME OF THE PETITIONER(S) : M. Padippurakadu Veeran Kutty & another
NAME OF THE RESPONDENT(S) : M/s Alpha Helical Pumps Private Limited & 2 others
UNDER SECTION : 397/398

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

1	TK Bhaskar Priyadarshini N Shwetha Vasudevan	Counsel for Petitioners 1 and 2	
2	VINEET S	for R ₁ - R ₂	
3	Ambili Menon	for R ₃	

ORDER

Shri N Priyadarshini, counsel for petitioners present. Shri S Vineet, counsel for R1 & R2 and Ms Ambili Menon, counsel for R3 are present. Counsel for R1 & R2 has filed CA 24 & CA 25 under rule 55 of the NCLT Rules, 2016, for seeking leave to file application for dismissal of the company petition and additional counter in the CP. Counsel for petitioner and counsel for R3 raised objections and sought time to file counter in the CA 24 & CA 25. Counsel for petitioner also submitted that there is one application filed against R2 for contempt pertaining to order passed by CLB on 14.3.2016. R2 raised

preliminary objections to the numbering of the contempt petition. Counsel for the petitioner seeks time to file reply to the said objection. Counsel for the petitioner has also raised serious objections that unless R2 is purging itself from the contempt, no application can be entertained by this Tribunal. In support of the submissions the judgement of the Apex Court, reported (2007) 8 SCC 449 has been produced wherein under para 26 the said principle is laid down. Counsel for R2 submitted that as per para Nos.20 to 22, the ruling is not applicable to the facts and circumstances of the present case. The matter is posted for further proceedings. Put up on 06.03.2017 at 10.30 A.M.


Ch. Md. Sharief Tariq
Member (Judicial)