



NATIONAL COMPANY LAW TRIBUNAL  
DIVISIONAL BENCH  
CHENNAI

ATTENDANCE CUM ORDER SHEET OF THE HEARING OF CHENNAI BENCH, CHENNAI  
NATIONAL COMPANY LAW TRIBUNAL, HELD ON 14/03/2017 AT 10.30 AM

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

APPLICATION NUMBER :  
PETITION NUMBER : CP/12/2017  
NAME OF THE PETITIONER(S) : Ozhukil Padinjarepet Achuthan Kutty Shanthi  
NAME OF THE RESPONDENT(S) : M/s Aswini Health Care Ltd  
UNDER SECTION : 241/242 of companies act 2016

S.No.	NAME (IN CAPITAL)	DESIGNATION	SIGNATURE
REPRESENTATION BY WHOM			
1	R. MURARI For SUSHMITA UDAYSHANKAR MOHAME JAVED SHERIF	COUNSELS FOR R1 TO R9	
2	A.M. Sridharan	Counsel for Petitioner	
3	S.P. Anwarul Karim	Counsel for Respondent R12 to R22	S.P. Anwarul Karim

**ORDER**

Shri A M Sridharan, counsel for petitioner present. He has moved a petitioner numbered as CP 12/2017. The petition is filed under 241 r/w 242 and 244 and Sec.59 of the Companies Act, 2013 seeking reliefs as prayed in para 5 of the petition. Counsel for petitioner submitted that there are a total of 9 shareholders in the R1 company and he is one of the shareholders possessing one share of Rs.1000/- fully paid up in R1 company. This has been the position pertaining to the shareholder pattern before his share has been forfeited. Therefore, the petitioner has satisfied the requirements of Sec.244 of the Companies Act, 2013. At this juncture, counsel appeared on behalf of R1 to R9 and opposed the admission of the petition stating that he provided an opportunity to file a counter pertaining to the issue of the admission of the petition. In case the

petition is admitted and notice is issued to the respondents, this will not cause any prejudice to the respondents because the respondents will have a fair opportunity to represent by filing a detailed reply to the company petition. Therefore, keeping in view the pleadings and the documents placed on file, we admit the petition for hearing. Counsel for R1 to R9 are directed to file a detailed reply by the next date of hearing. There is an application wherein some interim reliefs are prayed but the counsel for petitioner has submitted that he is not going to press for any of the interim reliefs. At this stage, Shri S P Murali Krishnan, counsel appeared on behalf of R12 to R22 and Shri R Murari, senior counsel for R1 to R9 also undertakes to file vakalat on behalf of R10 & R11. Therefore, all the respondents are directed to file counter by the next date of hearing. Put up on **03.04.2017 at 10.30 A.M.**

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

  
(K. Anantha Padmanabha Swamy)  
Member (Judicial)