

NATIONAL COMPANY LAW TRIBUNAL  
SINGLE BENCH  
CHENNAI



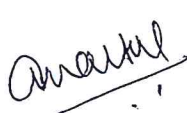
(23)

ATTENDANCE CUM ORDER SHEET OF THE HEARING OF CHENNAI BENCH, CHENNAI  
NATIONAL COMPANY LAW TRIBUNAL, HELD ON 15/12/2017 AT 10.30 AM

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

APPLICATION NUMBER :  
PETITION NUMBER : CP/45/2017  
NAME OF THE PETITIONER(S) : BRAKES INDIA PVT LTD  
NAME OF THE RESPONDENT(S) : SEI ARJUN POWER PVT LTD  
UNDER SECTION : 241/242

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

- |    |   |                                      |   |
|----|---|--------------------------------------|---|
| 1. | P.H. Aravindh Ramesh<br>Sr. Adv.<br>For. S. Mukundan<br>P. Giridharan | R1                                   |   |
| 2. | Mr. Abhishek Ramesh for<br>Ramesh Jeyaraj                             | R2                                   |  |
| 3. | R. Venkatavaradan<br>Chandramouli Prabhakar                           | Counsel for Applicant/<br>Petitioner | R. Venkatavaradan<br>(S) Chandramouli   |
| 4. | AWANT MERATHIA  | Counsel for<br>RS & RB               |  |

CP/45/2017

**ORDER**

Counsels for both the parties are present. Heard in relation to CA/26/2017. Counsel for the Applicant submitted that in case the AGM for the year 2014-2015 and 2015-2016 was held, then all the procedure ought to have been complied with. There is no requirement of ratifying the same. Counsel for the Respondent submitted that since the Petitioner has challenged the AGMs held during 2014-2015 and 2015-2016 due to which the Auditor is not signing the balance sheet for the year 2016-2017. But the Counsel for the Respondent has not given any other reason except filing of the petition due to which the Auditor is raising the objection for signing the balance sheet for the year of 2016-2017. In the circumstances, there is a requirement to seek details from the auditor. Keeping the same in view, the Auditor is directed to be present on the next date of hearing. Therefore, R1 is restrained from convening the proposed AGM on 19.12.2017 till further order. Counsel for the Respondents shall communicate the order to the Auditor. Put up on **05.01.2018 at 10.30 A.M.**

  
**MEMBER (JUDICIAL)**

ghk