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NATIONAL COMPANY LAW TRIBUNAL
DIVISION BENCH
CHENNAI

ATTENDANCE CUM ORDER SHEET OF THE HEARING OF CHENNAI BENCH, CHENNAI
NATIONAL COMPANY LAW TRIBUNAL, HELD ON 19/06/2017 AT 02.30 PM

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

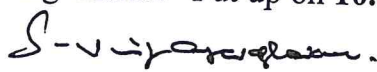
APPLICATION NUMBER :
PETITION NUMBER : TCP/59/ (IB)/2017
NAME OF THE PETITIONER(S) : DHIRAJ BIHARI JHA
NAME OF THE RESPONDENT(S) : RADICAL ADV. & CONSULTANCY PVT LTD
UNDER SECTION : 433(e) (f)

S.No.	NAME (IN CAPITAL)	DESIGNATION	SIGNATURE
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	K. PRATEEK BHAT	Counsel for Petitioner	
	R. ABDUL MUBEEN	Counsel for Respondent	

ORDER

Counsel representing both the sides present. Counsel for petitioner submitted that the petition that has been transferred to this Bench is virtually for winding up of the company on just and equitably grounds as he has filed the petition under Section 433 of the Companies Act, 1956. The Notification that has been issued for transfer of cases where services are not effected on the respondent provides that the applications transferred as per the Notification are to be treated as the Applications u/s 7, 8 and 9 of I&B Code, 2016. However, the counsel for petitioner with quick turn, stated that at the time of filing the petition, the vested rights accrued to him and that by any legislation by which new law is brought into force or amendment is made cannot take away the right of the petitioner unless the same provides explicit provision under the amending law/new law. At this stage, the counsel for respondent submitted that he has not received any documents. Counsel for petitioner is directed to provide all the documents along with typed set to the Respondent. Counsel for respondent is directed to file counter by providing a copy to the other side, within ten days. Thereafter, within one week, the counsel for petitioner is directed to file rejoinder, if any. Matter is posted for arguments. Put up on 10.07.2017 at 02.30 P.M.


(S. VIJAYARAGHAVAN)
MEMBER (TECHNICAL)


(CH. MOHD. SHARIEF TARIQ)
(MEMBER (JUDICIAL))