

(6)

**NATIONAL COMPANY LAW TRIBUNAL
DIVISION BENCH
CHENNAI**

**ATTENDANCE CUM ORDER SHEET OF THE HEARING OF CHENNAI BENCH, CHENNAI
NATIONAL COMPANY LAW TRIBUNAL, HELD ON 21/09/2017 AT 10.30 AM**

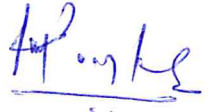
**PRESENT: SHRI Ch. MOHD SHARIEF TARIQ, MEMBER - JUDICIAL
SHRI. S. VIJAYARAGHAVAN – MEMBER - TECHNICAL**

APPLICATION NUMBER :
PETITION NUMBER : TCP/371/ (IB)/2017
NAME OF THE PETITIONER(S) : SESHASAYEE PAPER & BOARDS LTD
NAME OF THE RESPONDENT(S) : PRINT SHOP PVT LTD
UNDER SECTION : 433 (e)(f)

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

1. N. P. VIJAY KUMAR
for Srinidhi Srinivasan

Counsel for Petitioner



P.T.O.

ORDER

Under adjudication, is a Company Petition No.298/2016 which was filed by M/s. Seshasayee Paper and Boards Ltd. against M/s. Print Shop Private Limited under section 433(e) and (f) r/w section 439 (1) (b) and Section 237 (1)(b) of the Companies Act, 1956 on account of the default of the 1st Respondent Company in making payment of the outstanding debt to the Petitioner. The petition has been transferred to this Bench and was renumbered as TCP/371/(IB)/CB/2017. Counsel appearing on behalf of the Petitioner did not bring to our knowledge about the stage of the proceedings before the Hon'ble High Court of Madras, before the transfer of the petition. However, the Court Master while arranging the documents relating to the case file has come across the order sheet placed in the file, that reveals that the Hon'ble High Court of Madras on 02.12.2016, 01.01.2017 and 20.02.2017 has passed the order in the matter which reflect that the service on the Respondent was complete and Counsel for the Respondent appeared and sought three weeks' time to file the counter. The requirement of Rule 26 of the Company (Court) Rules, 1959 has been fulfilled. The Hon'ble High Court of Madras is already seized of the matter. Therefore, the case does not fall within the purview of the Rules called the Companies (Transfer of pending proceedings) Second Amendment Rules, 2017 notified on 29.06.2017 by the Ministry of Corporate Affairs.

In the light of the above, the petition is hereby returned to the Registry of the Hon'ble High Court of Madras for further action at their end. The parties are directed to approach the Registry of the Hon'ble High Court of Madras for seeking further necessary information, as may be required.


(S. VIJAYARAGHAVAN)
MEMBER (TECHNICAL)

ghk


(CH. MOHD SHARIEF TARIQ)
MEMBER (JUDICIAL)