

**BEFORE THE NATIONAL COMPANY LAW TRIBUNAL
HYDERABAD BENCH AT HYDERABAD**

**C.P. No.56 of 2010
(T.P. No.40/HDB/2016)**

Date of Order: 23.08.2016

Between:

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OF THE ORIGINAL**

1. Mr. N. Venkata Rattaiah,
F-19, Madhura Nagar,
Hyderabad -5000
And 3 others

....Petitioners

And

1. Shri Venkateswara Neuro &
Superspeciality Hospitals Pvt Ltd.,
8-3-215, Srinivas Colony (West),
Ameerpet, Hyderabad – 500033
And 19 others.

.....Respondents



Counsel for the Petitioners:

.....Shri S. Chidambaram,
Practicing Company Secretary

Counsel for Respondents:

.....Shri V.S. Raju.

CORAM;

Hon'ble Mr. RAJESWARA RAO VITTANALA, MEMBER (JUDICIAL)

Hon'ble Mr. RAVIKUMAR DURAISAMY, MEMBER (TECHNICAL)

ORDER

(As per Shri Rajeswara Rao Vittanala, Member(J))

1. The petition was initially filed before the Hon'ble Company Law Board, Chennai Bench, Chennai. Since the National Company Law Tribunal (NCLT) has been constituted for the cases relating to the States of Andhra Pradesh and Telangana, the case is transferred to Hyderabad Bench of NCLT. Hence, we have taken up the case on records of NCLT, Hyderabad Bench and deciding the case.
2. The present petition is filed under Section 397, 498 r/w section 111, 113, 237, 402 & 403 and schedule XI and other applicable provisions of the Companies Act, 1956, by seeking the following direction:

“The petitioners further submit that the Respondents 2 to 7 who are in control of the affairs of the Company have illegally siphoned the money by making payments to their relatives or to the firms in which they have interest. It is submitted that bills were inflated and huge cash payments were made to account for fictitious bills. It is understood that several bogus/fictitious bills (in respect of interiors, construction etc.,) were accounted while providing developing the Hospital Building. It is public knowledge that Hospitals receive huge cash payments from patients. The respondents have not accounted these cash receipt properly and siphoned these amounts”

3. The case was listed before this Bench on 25.07.2006, 09.08.2006 and 23.08.2016.
4. Heard the Learned Counsel for the Petitioners well as the Respondents. Both the counsels submitted that the issue involved in this case was compromised and settled the matter out of the Court by the parties. They have filed a memo dated 23.08.2016 by praying the Bench to permit the Petitioners to withdraw the Company Petition. The Memo dated 23.08.2016 is taken on record.

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In view of the above, the C.P. No.56/2010 is dismissed as withdrawn. No orders as to cost.



Sd/-

RAVIKUMAR DURAISAMY
MEMBER (TECHNICAL)

Sd/-

RAJESWARA RAO VITTANALA
MEMBER (JUDICIAL)

V. Annapoorna
V. ANNA POORNA
Asst. DIRECTOR
NCLT, HYDERABAD - 68