

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

**C.P. No. 72 of 2011
(TP No.59/HDB/2016)**

Date of Order: 23.11.2016 ✓

Between;

**CERTIFIED TO BE TRUE COPY
OF THE ORIGINAL**

1. Sri. Dandu Chandra Reddy,
H.No:26/2, MLA Colony,
Road No.12, Banjara Hills,
Hyderabad-500 034.

..... Petitioner

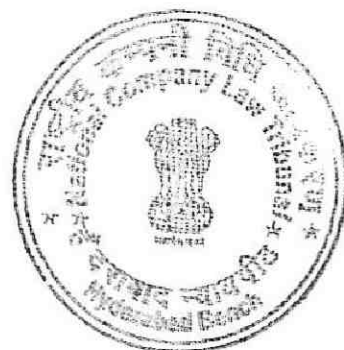
And

1. Vijaya Sea Foods & Exports Private Limited,
Registered Office: Block-II, 1st Floor,
311/A, Road No.12, MLA Colony,
Banjara Hills,
Hyderabad -500 034.

2. Mr. Sajayjalan,
8-2-293/82/L/353/A, MLA Colony,
Road No.12, Banjara Hills,
Hyderabad-500 034.

3. Ms. Manjujalan,
10, Lower Rowdown Streen,
Eligh Road,
Culcutta -700 020, W.B.

4. Mr. M. Lakshmikar Reddy,
H.No:8-2-267/K/36,



Counsel for the Petitioner : Shri. M. Satyanarayana, Advocate

Counsel for the Respondents : Shri. V. Basava Raju, Advocate

CORAM:

HON'BLE Mr. RAJESWARA RAO VITTANALA, MEMBER (JUDL)

HON'BLE Mr. RAVIKUMAR DURASAMY, MEMBER (TECH)



ORDER

(AS PER RAJESWARA RAO VITTANALA, MEMBER (JUDL))

1. The present Application was initially filed before Hon'ble Company Law Board, Chennai Bench, Chennai. Since the National Company Law Tribunal, Hyderabad Bench (NCLT) has been constituted for the cases pertaining to states of Andhra Pradesh & Telangana, the case is transferred to NCLT. Hence, we have taken it on records of NCLT, Hyderabad Bench and deciding it.
2. The present Company Petition has been filed by Sh. Dandu Chandra Reddy, under Section 397, 398 402 and 403 read with Schedule XI of the Companies Act, 1956 by inter-alia seeking to; restraining the respondents from alienating, mortgaging or selling or creating any other encumbrances in any of the movable or immovable properties of the first respondent company; restraining the respondents from exercising any voting rights in respect of shares allotted to the persons after incorporation as per the details mentioned in the petition; to direct the Respondent No.1 to refund the share application money together with interest @ 15% P.A. since payment in 1994-95; to direct the respondents to involve the petitioner in the day to day management of the respondent company in the capacity of a director; to direct the Registrar of Companies Andhra Pradesh not to take any Forms 2 and 23AC,

3. The Learned Counsel for the Petitioner filed Company Application 43 of 2016 inter-alia seeking to; permit the Petitioner to withdraw the present Company Petition No.72/2011 with a liberty to file a fresh Company Petition for the reliefs as prayed in the present Company Petition or with any appropriate modifications thereof etc.
4. Heard both the counsels. The Ld. Counsel for the Respondents has not objected for the withdrawal of Company Petition. In view of the above circumstances we dispose the Company Petition No.72/2011 permitting the Petitioner to withdraw it and to file a fresh comprehensive petition by taking all the available averments

No Order to Cost.

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OF THE ORIGINAL**

Sd/-

RAVIKUMAR DURAISAMY
MEMBER (TECH)

Sd/-

RAJESWARA RAO VITTANALA
MEMBER (JUDL)



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