

BEFORE THE NATIONAL COMPANY LAW TRIBUNAL

HYDERABAD BENCH AT HYDERABAD.

CP NO.1/186/CB/2015

(TP No.153/HDB/2016)

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

Date of Order: 29.09.2016

Between:

Sri Sunil Suresh,
S/o Sri Suresh Kanteshwar,
R/o Door No.275, 10th Cross,
Wilson Garden,
Bengaluru – 560 027, Karnataka

... Petitioner

AND

Artex Aesthetes International Pvt. Ltd.,
Registered Office at 6-3-1111/23,
Babukhan mall,
Somajiguda,
Hyderabad – 500 016, Telangana
and Another

... Respondents

Counsel for the Petitioner:

....Sri S. Vivekananda

CORAM:

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

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



ORDER

(As per Rajeswara Rao Vittanala, Member(Judicial))

1. The present Petition was initially filed before the Hon'ble Company Law Board, Chennai Bench, Chennai. Since the NCLT Bench has been constituted for the cases relating to the States of Andhra Pradesh and Telangana, the case is transferred to Hyderabad Bench. Hence, we have taken the case on records of NCLT, Hyderabad Bench and deciding the case.
2. The present Company Petition No.1/186/CB/2015 has been filed by the Petitioner U/s 186 of the Companies Act, 1956, seeking the following reliefs:-
 - a) To direct the holding of Extra Ordinary General Meeting of the Shareholders of the Company, wherein even one person present in person would form quorum for the purpose of this meeting;
 - b) To direct the agenda for the meeting to be the appointment of another director for the company, and for transfer of some shares in favour of another person other than the petitioner and 2nd Respondent: and
 - c) Pass such further or other orders as this Hon'ble Board may deem fit and proper in the facts and circumstances of the case and thus render justice

3. The learned counsel for the petitioner submits that he has filed another similar Petition/Application for same relief bearing CA No.114/2016 before the Company Law Board Chennai Bench, Chennai and that Company Application was disposed of by an order dated 19.04.2016 with the following directions by the CLB:

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4. "The R1 Company shall conduct and hold its EOGM after issuing notice to 2nd respondent in compliance with the Articles and law. Further I Order that one member of the Company present in person shall be deemed to constitute a meeting/quorum. With the above directions, the CA No.114 of 2016 is disposed of. No order as to Costs".

Hence, he submits that no further orders are necessary in the present Company Petition.

5. In view of the above, the Company Petition is disposed off as no further orders are necessary.

Sd/-

**RAVIKUMAR DURAISAMY
MEMBER (TECH)**

Sd/-

**RAJESWARA RAO VITTANALA
MEMBER (JUDL)**

V. Annapoorna
V. ANNA POORNA
Asst. DIRECTOR
NORTH HYDERABAD - 68