

**BEFORE THE NATIONAL COMPANY LAW TRIBUNAL**

**HYDERABAD BENCH, AT HYDERABAD**

**CA No. 57 of 2011**

**In**

**CP No. 27/2009**

**(TP No.37/HDB/2016)**

**Date of Order: 17.11.2016**

**Between:**

1. Om Shiv Shakti Iron Industries Private Limited  
19-2-226, Miralam Tank Road,  
Bahaurpura, Hyderabad-500064

2. Mr. Jitendra Kumar Kedia  
5-9-30/1/4/3, Road No.5,  
Basheerbagh Palace Colony,  
Hyderabad-500029.

...Applicants/Respondent No. 1&2

**AND**

1. Mr. Arun Kumar Kedia  
Plot No.370, Road No.24,  
Jubilee Hills, Hyderabad-500034

2. Arun Kumar Kedia (HUF)  
Represented by its Karta  
Mr. Arun Kumar Kedia  
Plot No.370, Road No.24,  
Jubilee Hills, Hyderabad-500034

3. Mrs. Seem Kedia  
Plot No.370, Road No.24,  
Jubilee Hills, Hyderabad-500034



...Respondents/Applicants

Counsel for Applicants:

Shri L Ravichander,

Shri Milind Gokhale

Authorised representative for Respondents:

Shri S. Chidambaram, PCS

**CORAM:**

Hon'ble Mr. Rajeswara Rao Vittanala, Member (Judicial)

Hon'ble Mr. Ravikumar Duraisamy, Member (Technical)

**ORDER**

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

1. This application was initially filed before the Hon'ble Company Law Board, Chennai Bench, Chennai. Since the NCLT Hyderabad Bench has been constituted for the cases pertaining 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 it.
2. The Company Application bearing CA No.57 of 2011 has been filed by the respondents of main Company Petition under Regulation 44 of the Company Law Board Regulations, 1991 by seeking to direct the respondents to produce before this Bench the





notices received by them individually for the AGM for the years 2004 to 2008, notices of Board Meetings and of the extra ordinary general meeting during the said period, in the interest of justice and pass such other order or orders as are deemed fit and proper in the circumstances of the case.

3. Heard Shri L. Ravichander, Senior Counsel for applicants and Shri S. Chidambaram, PCS for respondents.
4. The learned senior counsel submits that the respondents have filed CA No. 195 of 2010 by interalia seeking to declare the statutory records/register (Board and General Meeting Minutes from the year 2005 to 2009) as fabricated and to appoint an Independent Administrator to take over the management/affairs of the Company, by alleging the Applicants in the present Company Application are guilty of discrepancy/fabrication of statutory records. Since, the entire controversy relates to the issuance of notices or practice to the contrary, he urged the Tribunal to direct the Respondents to produce the notices for the Annual General Meetings (AGMs) for the year 2004-08 and also the notices of Board Meetings and EGMs during the said period.



5. The learned PCS has not opposed the prayer of the applicants in present application, at the time of hearing of the case and expressed his willingness to produce the relevant records available with his client.
6. Both the learned representatives agreed to dispose of CA No. 57 of 2011 with direction to produce the relevant records at the time of hearing of main Company Petition.
7. In the result, CA No. 57 of 2011 is disposed of with a direction to the respondents to produce the relevant records at the time of hearing of main Company Petition. No Order as to costs.

Sd/-

**RAVIKUMAR DURAISAMY**

**MEMBER (TECH)**

Sd/-

**RAJESWARA RAO VITTANALA**

**MEMBER (JUDL)**

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

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

