

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

CP No.05/73(4)/HDB/2016

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

Date of Order:15.11.2016

Between:

Chavali Gayatri Praveen
S/o. Ch. Venkateswarlu,
401 Meenakshi Heights,
A V Apparao Road,
Rajahmundry, E G Dist.
Andhra Pradesh, India, PIN: 533103



.... Petitioner

AND

M/s. Sree Lakshmi Prasanna
Agro Paper Industries Limited,
3-173/4, Industrial Road,
Polamuru, Anaparthi Mandal,
E G Dist., Andhra Pradesh, India,
PIN: 533043

.... Respondent

Representative for Petitioner:

Shri Henry Richard, PCS

Counsel for Respondent:

Shri D.V.A.S Ravi Prasad

CORAM:

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

ORDER

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

1. The Present Petition bearing no. CP No.5/73(4)/HDB/2016 has been filed by Smt. Chavali Venkata Padma under section 73(4) of the Companies Act, 2013 by seeking a direction to the Company to pay the principal amount of Rs.3,50,000/- along with accumulated interest of Rs.9,59,809/- i.e the total amount of Rs.13,09,809.
2. When the matter was taken up for hearing, Shri Henry Richard for petitioner submits he wants to file a fresh petition for better appreciation of facts, for the same cause of action and seeks liberty for the same.
3. Shri D.V.A.S Ravi Prasad, learned counsel for the respondent submits that he has filed a counter today, after duly serving copy to the petitioner opposing the claim of petitioner by raising several grounds. He has also submitted that the petition was not filed in proper format as prescribed under rules.
4. By considering the nature of relief and in the interest of justice, I deem it just and proper to permit the petitioner to withdraw the present petition by granting liberty to the petitioner to file fresh petition for same cause of action. Three weeks' time is granted from today to file fresh petition. Accordingly, CP is disposed of.

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Sd/-

Rajeswara Rao Vittanala
Member (J)

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