

**NATIONAL COMPANY LAW TRIBUNAL
KOLKATA BENCH
KOLKATA**

C.P. No. 942/2012

Present: Ms. Manorama Kumari
Hon'ble Member (J)

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING ON 08th August, 2016, 10.30 A.M

Name of the Company		Yashdeep Trexim Pvt.Ltd. -Versus- Rainey Park Suppliers Pvt. Ltd. & Ors.	
Under Section		397/398	
Sl. No.	Name & Designation of Authorized Representative (IN CAPITAL LETTERS)	Appearing on behalf of	Signature with date

Mr. R. K. Mitra, Adv
Mr. S. Ghosh, Adv.
Mr. S. Chowdhury, Adv
Mrs. P. Chowdhury, Adv.

} R-17.

Chowdhury Adv.
8/8/2016.

MR. SWAPNA CHOUBEY Adv
MR. SANJIV TRIVEDI Adv

} R-1.

[Signature]

1. Aditya Kanodia, Adv
2. S. Sarker, Adv
3. Debashish Das, Adv

} For Petitioner

[Signature]
8/8/16.

Dated 08.08.2016

C.P. No.942/2012

ORDER

Ld. Lawyer for the Petitioner as well as Ld. Lawyer of Respondent No.1 and 17 are present.

Ld. Lawyer of the Respondent No.1 submitted that C.A. No.246/2015 has been pending since long. She also prays to recall the order dated 15.09.2014 and 24.09.2014 passed by the then Board; whereby she has been not allowed to file counter affidavit/reply, as she has already filed the affidavit/reply in C.P. on 26.02.2015 and the copy of the same has been served upon the Petitioner alongwith cost of Rs.10,000/- as directed by then CLB.

Heard both sides and the Petitioner has also conceded to the fact. In view of such situation nothing remains to recall order passed by the then CLB, as Petitioner has accepted the reply/objection. Hence, prayer is rejected.

Respondent No.1 further prayed to read 24.09.2014 as 24.11.2014 in the prayer portion of the C.A. No.246/2015, which is typed inadvertently. Heard prayer is allowed. Petitioner has no objection to that effect.

On perusal of the record, it appears that Respondent No.1 already served the copy of counter affidavit/reply on 30.06.2014 upon Mr. Rajib Mullick, Advocate-on-record for Petitioner. Mr. Rajib Mullick put his signature showing the receipt of the reply as well as a cheque amounting to Rs.10,000/- towards costs payable in terms of the order passed by the then Ld. Company Law Board.

In view of the receipt of the reply as well as the costs there remains nothing to be objected by the Petitioner.

Therefore, C.A. No.246/2015 is disposed of.


Petitioner prayed for some time to file his rejoinder against the objection filed by Respondent No.1 in main C.P.

Petitioner has received the objection on 30.06.2014, as reflected from the record; but even then he has failed to file his rejoinder. Now he has requested to allow him to file rejoinder in main C.P.

Heard both sides.

As the matter is placed for the first time before this Court on inception of NCLT, as such for the ends of justice, the Petitioner is allowed 10 days' time to file his rejoinder with costs of Rs.3,000/- to be paid to Respondent No.1.

Fixed for hearing on 02.09.2016 in C.A. No.691/2013.


(Manorama Kumari)
MEMBER(J)