

BENCH-I

NATIONAL COMPANY LAW TRIBUNAL
KOLKATA BENCH
KOLKATA

C.P. No.43/2014

Present: Hon'ble Member (J) Shri Vijai Pratap Singh
Hon'ble Member (J) Shri Jinan K.R

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING ON 21st November 2017, 10.30 A.M

Name of the Company		Nextgen Delears Pvt.Ltd.-Vs- Agarpara Company Ltd. & Ors.	
Under Section		397/398	
Sl. No.	Name & Designation of Authorized Representative (IN CAPITAL LETTERS)	Appearing on behalf of	Signature with date

1. Aritra Basu Advocate
 2. Anurita Chatterjee " } Pehls/

[Signature]
 21/11/17

1. Mr D. N. Sharma
 2. Mr. S. Sankar, Adv
 3. Mr. Rajib Mallick
 4. Mr. Rakesh Sankar, Adv } Adv for resp. nos 7

[Signature]
 21/11

1. SHAUNAK MITRA, Adv. for R-1

[Signature]
 21/11/2017.

- Mr. R.K. Mitra, Adv
 - Mr. S. Choudhury, Adv
 - Mr. P. Choudhury, Adv } R-17 & 18.

[Signature]
 21/11/17.

A. Koradi - Adv } R-21 1

[Signature]
 21/11/17

ORDER

Ld. Counsel for the petitioners and the respondent nos. 1, 7, 17, 18 and 21 are present.

Petitioner has filed this petition u/s. 397 and 397 of the Companies Act, 1956.

Respondent No. 20 moved a C.A.No. 1815 of 2015 for deleting his name, which was decided by our order dated 09/01/2017 whereby C.A. was allowed and petition was dismissed against respondent no. 20. It was further ordered that consequential relief sought against the respondent no. 20 are also denied.

The above order was challenged before the Hon'ble NCLAT in **Company Appeal (AT) No. 48 of 2017**. Hon'ble NCLAT by an order dated 06/04/2017 has dismissed the appeal. After that petitioner has filed S.L.P. (**Civil Appeal No. D 25088 of 2017**) and by an order dated 23/10/2017 the said Civil Appeal No. D 25088 has been dismissed on the ground of delay as well as on merits.

Sd

Sd

Despite dismissal of Civil Appeal by the Hon'ble Supreme Court petitioner has not complied with our order dated 09/01/2017. Therefore, petition is dismissed along with the pending applications in view of non-compliance of our order dated 09/01/2017.

There is no order as to costs.

Urgent certified copy of the order be issued, if applied for, upon compliance of all requisite formalities.



(Jinan K.R.)
Member (J)



(V.P. Singh)
Member (J)