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NATIONAL COMPANY LAW TRIBUNAL
MUMBAI BENCH, MUMBAI

Application No.129/(MAH)/2017

CORAM:

Present:

SHRI B.S.V. PRAKASH KUMAR
MEMBER (J)

SHRI V. NALLASENAPATHY
MEMBER (T)

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING OF MUMBAI BENCH OF THE
NATIONAL COMPANY LAW TRIBUNAL ON 29.09.2017

NAME OF THE PARTIES: M/s. Valecha Engineering Limited

SECTION OF THE COMPANIES ACT: 73(4) of the Companies Act 1956.

S. No.	NAME	DESIGNATION	SIGNATURE
1	Mahesh K. Agre	App in person	td

ORDER

Application No.129/73(4)/NCLT/MB/MAH/2017

The applicant filed this Application for refund of deposit money of him as well as for refund of deposit of his wife and daughter without making them as parties to the proceedings, for there being no provision to receive money on behalf of other persons who are not parties to the proceedings, since this applicant has himself admitted that the company has already repaid ₹20,000 to the applicant, we now see no merit in the application therefore, this Application is hereby dismissed as infructuous.

Since the applicant has come out with an argument that he only received principal amount of ₹20,000, but not interest.

On seeing one-page application, it appears that interest has remained due as on 4.12.2015, but no calculation has been given reflecting how much interest is due and payable to this applicant. This applicant received principal amount, the time when money was received, he has not raised objection in respect to the interest component.

This Bench cannot on its own calculate the interest and ask the company to pay it, moreover, this having already received the principal amount without protest, the application is dismissed as infructuous, as to his wife and daughter, they can file separate applications against the company, accordingly the claim of the wife and daughter have been dismissed with liberty as mentioned above.

Sd/-

V. NALLASENAPATHY
Member (Technical)

Sd/-

B.S.V. PRAKASH KUMAR
Member (Judicial)