

**IN THE NATIONAL COMPANY LAW TRIBUNAL,  
NEW DELHI BENCH**

**NEW DELHI**

**CP-282 /ND/2017**

**Present: SHRI R. VARADHARAJAN, MEMBER (JUDICIAL)**

**IN THE MATTER OF:**

**M/S YOGESH GUPTA & ORS**

**.....PETITIONER**

**Vs**

**BRIJ BHUSHAN GUPTA & ORS**

**.....RESPONDENT**

**SECTION:**

**UNDER SECTION 241 (1)**

**FOR THE PETITIONER/ APPLICANT: MR. SANJAY AGNIHOTRI, ADVOCATE  
MR. RAKESH KUMAR, ADVOCATE**

**FOR THE RESPONDENT: MR. SHIV KUMAR, RESPONDENT  
MR. P.K. MITTAL, ADVOCATE**

**Order pronounced on: 24.10.2017**



## ORDER

This Tribunal on 03.10.2017 taking into consideration the representation of the parties that were agreeable to mediation had fixed today, namely 09.10.2017 for the parties to name the mediator by consensus. However, the parties have not suggested any name to conduct the mediation proceedings and instead represented that this Tribunal may refer the matter to mediation centre as functioning in the High Court of Delhi or in the alternative to appoint from the panel of mediators as published by MCA pursuant to the provisions of Section 442 made effective from 01.04.2014 read in consonance with Companies (Mediation and Conciliation) Rules, 2016 which has been framed and notified on and from 09.09.2016. Taking into consideration the above representation of the parties and in pursuance to Section 442 of Companies Act, 2013 read with Companies (Mediation and Conciliation) Rules, 2016, (1) Ms. Sarita Kapur, 71, FF, Anand Lok, New Delhi, email: saritalaw@yahoo.com, Contact No. 9899281000, (2) Mr. Nikilesh Ramachandran, C-8/8349, Vasant Kunj, New Delhi-110070, email: niki\_ram@yahoo.com, Contact No. 981040429 are appointed to the mediation panel.

In relation to the fees payable to the mediators as well as the expenses, the same shall be borne equally by the contesting parties as may be fixed by them with the mediators. The mediators appointed shall follow the provisions of Companies Act, 2013 read with Companies (Mediation and Conciliation) Rules, 2016 in relation to the mediation process.



The mediation is required to be completed within the time period specified which in any case should not exceed three months from the date of reference. The mediators should file their report if settlement is not arrived at between the parties, before the Tribunal.

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-Sd/-  
(R.VARADHARAJAN)  
MEMBER (JUDICIAL)

U.D.Mehta