

NATIONAL COMPANY LAW TRIBUNAL
NEW DELHI BENCH
NEW DELHI

C. P. NO. 120(ND)09
CA. NO.


PRESENT: SMT. INA MALHOTRA
Hon'ble Member (J)

**ATTENDANCE-CUM-ORDER SHEET OF THE HEARING OF NEW DELHI BENCH OF
THE NATIONAL COMPANY LAW TRIBUNAL ON 20.09.2016**

NAME OF THE COMPANY: Sh. Neelamber Agarwal and Anr. V/s. Neel Padam Builders Pvt.
Ltd.

SECTION OF THE COMPANIES ACT: 397/398

<u>S.NO.</u>	<u>NAME</u>	<u>DESIGNATION</u>	<u>REPRESENTATION</u>	<u>SIGNATURE</u>
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1.	Mr. Jayant Mehta	Adv.	For Petitioner/ Applicant	
2.	Mr. Rajesh P	Adv.		
3.	Mr. Anuj Shah	Adv.		
4.	Ms. Suveni Bhagat	Adv.		

1. Shadan Farasat, Adv.


For R1 & R2

s/farasat


ORDER

Draft sale deeds have been filed in Court by the Id. Counsel for the petitioner.
Since these are identical to the ones executed by the Respondent Company earlier in
respect of its three projects, the respondents have no objection to them.

Contd/-.....

2. Sale deeds are required to be executed in favour of 76 purchasers from whom full sale consideration has been confirmed as being received. Subject to payment of adequate stamp duty and registration charges at the present rates by the purchaser, the sale deeds may be presented before the concerned Sub Registrar for their due execution and registration.
 3. The control of the management of the company is in dispute. Without prejudice to the rights of the parties, this Bench deems it just and expedient to appoint an officer of the Court as a Commissioner to execute and present the sale deeds in the office of the concerned Sub Registrar on behalf of the respondent company. I accordingly appoint Mr. S.S.Sharma, Advocate (Mobile No. 9899120165) as Commissioner and duly authorized person to execute and register the sale deeds on behalf of the Respondent Company in favour of the purchasers.
 4. Certain sale deeds, other than the aforesaid 76, are also to be executed in favour of the purchasers but are pending for verification of the accounts. Vide order dated 16.09.2016, the parties were directed to sit with their respective accountants and verify the accounts. Those who have made full payment are also entitled to get their sale deeds executed in the manner aforesaid.
 5. The fees of the Commissioner is fixed at Rs 2000/- per registration of the sale deed, in addition to incidental expenses that may be raised by him. All expenses shall be borne equally by both the parties initially without prejudice to their rights to get the same reimbursed from the account of the respondent company subsequently.
 6. Execution and Registration be done within two weeks from today and Report of the Commissioner be filed before this Bench.
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7. The case is ripe for final arguments. Re-notify this case for final arguments on 08.11.2016.
8. Let written synopsis be filed alongwith Citations, if any, relevant to the pleading.
9. This Bench is apprised that there is a connected matter also which is to be transferred to this Bench on 27.10.2016. The same be listed alongwith on 08.11.2016.


(Ina Malhotra)
Member Judicial