

IN THE NATIONAL COMPANY LAW TRIBUNAL : NEW DELHI
COURT-III

CP-174/ND/2017

In the matter of :

Mr. Jagmohan Bajaj

....PETITIONER

Vs.

Shivam Fragrances (P) Limited

.. RESPONDENT

SECTION :

Under Section 241/242

Order delivered on 28.11.2017

Coram :

R. VARADHARAJAN,

Hon'ble Member (Judicial)

For the Petitioner /applicant

: Mr. Manoj Kumar Garg, Advocate

Mr. Achinit Gupta, Advocate

For the Respondent/Corporate Debtor :-

ORDER

Learned Counsel for the parties are present. In relation to CA No.93/C-III/ND/2017, this is an application for condonation of delay as filed by the respondent. Ld. Counsel for the petitioner seeks time to file reply to this application.

Taking into consideration the said representation, 10 days time is granted to the Ld. Counsel for the petitioner to file reply. Let the reply be filed within a period of 10 days. In relation to the applications filed by the petitioner being Application No. CA-86/C-III/ND/2017 & No.CA-93/C-III/ND/2017, one in relation to contempt and other in striking off, reply as filed by the respondent company, the Respondent to file reply within a period of 10 days. Needless to say that both the parties will make available the respective replies which will enable the other side to file rejoinder within a period of 5 days thereafter.




Contel

Post the matter on 18.12.2017. These applications be also listed on the same day. In the meanwhile, Ld. Counsel for the respondent represents that the cost which was directed to be paid vide order passed by this Tribunal was not paid in view of the delay in uploading the order passed by this Tribunal and it is further stated by the respondent that he is prepared to pay the cost of Rs.10,000/- today (28.11.2017) , if he is permitted.

In view of the said representation, Respondent is directed to pay the cost of Rs.10,000/- to the Ld. Counsel for the petitioner and it is also represented by the Ld. Counsel for the petitioner that the same has been received and this is taken on record. Taking into consideration the interest of the Company as well as the parties, the respondent is directed to produce the audited financial statement for the year ended 31.3.2017 as approved by the shareholders as well as the Company's account books commencing from 01.01.2016 of the respondent Company with the Bench Officer of this Tribunal within a period of 10 days from today (28.11.2017).

Call the matter on 18.12.2017.


(R. VARADHARAJAN)
MEMBER (JUDICIAL)

Surjit
28.11.2017