

NATIONAL COMPANY LAW TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

C.P NO. 54(ND)/2015
CA NO.

CORAM:

PRESENT: CHIEF JUSTICE M. M. KUMAR
Hon'ble President

Smt. Ina Malhotra
Hon'ble Member (T)

**ATTENDANCE-CUM-ORDER SHEET OF THE HEARING OF PRINCIPAL BENCH OF THE
NATIONAL COMPANY LAW TRIBUNAL ON 03.10.2016**

NAME OF THE COMPANY: M/s. Cosmos Infra Engineering (India) Ltd.
Vs.
M/s. Tirupati Buildings and Offices Pvt. Ltd. & Ors.

**SECTION OF THE COMPANIES ACT: 397/398 of the Companies Act 1956 and 241/242 of the
Companies Act 2013.**

S.NO.	NAME	DESIGNATION	REPRESENTATION	SIGNATURE
1.	Nilava Bandyopadhyay, Adv		Petitioner	<i>NS. Iyer</i>

Order

It has come on record that Respondent Nos. 1, 14 to 16 and 17 to 20 have appeared on many occasions. The other respondents have remained absent. Even reply of some of the respondents has not been taken on record for non-payment of cost.

2. Before hearing arguments in detail, it has become necessary to permit the petitioner to undertake inspection of statutory record of Respondent No. 1 company. It is one of the interim prayer made by the petitioner as well. The inspection has become necessary because some of the allegations concerning violations of statutory provisions pointed out by the petitioner stem from the factual documents like passing of resolutions which are not available on record with full details of their contents and dates.

3. Accordingly, the petitioner is permitted to carry out inspection of Respondent No. 1 company's records and direct Respondent Nos. 1, 2, 3, 4, 5 & 6 to allow the representative of the petitioner to inspect the statutory records of Respondent No. 1 company and provide copies of the statutory records to it as per request already made or to be made. The petitioner may approach Respondent No. 1 company in the week commencing from 17.10.2016. On the basis of the aforesaid inspection, the petitioner may file appropriate application for updating the facts on file.

P.T.O

4. We further direct that the Union of India, through Registrar of Companies, NCR, who is already arrayed as a party (Respondent No. 24) to file his response with regard to the status of R1 company and filing of Annual Return by it. It shall be the duty of the petitioner to send a copy of the petition along with annexures and all the interim orders so far passed to the Registrar of Companies (R24) along with a copy of this order. The needful shall be done within a week.

List again on 10.11.2016.


(CHIEF JUSTICE M.M. KUMAR)
PRESIDENT


(INA MALHOTRA)
MEMBER (J)

3rd October, 2016
(P.K. Sud)