

IN THE NATIONAL COMPANY LAW TRIBUNAL
CHANDIGARH (COURT – II)
(Through Hybrid Mode)

Item No. 1

Caveat No. 11/2024
COMP. APPL/147(CH)2024
And
CP/24(CH)2024

IN THE MATTER OF:

Sunny Kochar

...

Petitioner

Versus

Kochar Sung Up Acrylic Limited

...

Respondent

Under Section: 241 & 242, CA 2013

Rule: 11, 25 of NCLT Rules, 2016

Order delivered on 11.07.2024

CORAM:

SHRI. UMESH KUMAR SHUKLA,
HON'BLE MEMBER (T)

SHRI. HARNAM SINGH THAKUR,
HON'BLE MEMBER (J)

PRESENT:

For the Petitioner in the main CP and applicant in COMP. APPL/147(CH)2024 : Ms. Munisha Gandhi, Senior Advocate with Ms. Ankita Sambyal, Mr. Mohit Jaitak, Ms. Salina Chalana, Advocates

For the Respondent in main CP as well as in COMP. APPL/147(CH)2024 and Caveator in Caveat No. 11/2024 : Mr. Anand Chhibbar, Senior Advocate with Mr. NPS Chawla, Ms. Nishita Khurana, Ms. Kinjal Goyal, Advocates & Mr. G.S Sarin, PCS

ORDER

Caveat No. 11/2024

The present application has been filed by the respondent in main petition against interim measures filed by the petitioner/non-caveator under Sections 241, 242 and 244 of the Companies Act, 2013. Since the caveator has appeared

and put the objections against the amended petition. Thus, the caveat bearing Caveat No. 11/2024 is discharged and disposed of accordingly.

COMP. APPL/147(CH)2024 and CP/24(CH)2024

The objections have been filed by the learned counsel for the respondent No. 1 & 2 in COMP. APPL/147(CH)2024 vide diary No. 01037/1 dated 09.07.2024. The same is taken on record and learned counsel for the respondent No. 1 & 2 is directed to file a short-note/objections on the maintainability of this amended petition during the course of the day.

The learned counsel for the petitioner has prayed for filing the counter-affidavit. Let the same be done during the course of the day.

Arguments heard. Order reserved on maintainability of amended petition under Section 241 & 242 of Companies Act, 2013 as well as on interim relief sought by the petitioner.

Sd/-

**(UMESH KUMAR SHUKLA)
HON'BLE MEMBER (T)**

Sd/-

**(HARNAM SINGH THAKUR)
HON'BLE MEMBER (J)**