

IN THE NATIONAL COMPANY LAW TRIBUNAL: NEW DELHI
PRINCIPAL BENCH

ITEM No. 8
129/245/PB/2018

IN THE MATTER OF:

Abhimanyu Singh & Ors.

.... Petitioner/Applicant

Vs.

Brijnandan Industries Pvt. Ltd. & Ors

.... Respondent

Order under Section 245 of the Companies Act, 2013

Order delivered on 04.07.2024

CORAM:

JUSTICE RAMALINGAM SUDHAKAR

HON'BLE PRESIDENT

SH. AVINASH K. SRIVASTAVA

HON'BLE MEMBER (TECHNICAL)

HYBRID HEARING (PHYSICAL & VC)

PRESENT:

For the Applicant : Mr. Naveen, Proxy Counsel for Mr. L.B. Rai, Adv.

For the Respondent : Mr. Saurabh Kalia, Mr. Avik Sarkar, Advs. for the R-6 & R-7

Mr. Iswar Mohapatra, Mr. Jitender Patniak, Ms. Nirmalya Dasgupta, Advs. for the R-2 to R-5, R-10, R-11

ORDER

1. On multiple occasions, the Petitioner has been seeking adjournment on one pretext or the other. We asked him to give a list of dates & events and argue the matter vide our order dated 14.12.2023, which has not been complied with.

2. Today also Proxy Counsel Mr. Naveen appeared for the Petitioner and sought an adjournment stating that the arguing counsel Mr. L. B. Rai is not available.

3. Ld. Counsel Mr. Iswar Mohapatra appeared on behalf of Respondents No. 1 to 5, 10 & 11, and Ld. Counsel Mr. Saurabh

Kalia appeared on behalf of Respondents No. 6 & 7 and they strongly opposed the adjournment.

4. One last and final opportunity is given to the Petitioner subject to the **cost of Rs. 10,000/- to be paid to the Prime Minister's National Relief Fund (PMNRF).**

5. It is also stated by Ld. Counsel Mr. Iswar Mohapatra appearing for Respondents No. 1 to 5, 10 & 11 that CA-845/2018 was filed but which is not traceable. Registry is directed to verify whether CA-845/2018 is available on record before the next date of hearing.

6. Ld. Counsel is requested to assist the Registry in tracing this file. In case it is not traceable, he is permitted to file afresh, so that it can be uploaded on the DMS portal with an advance copy to the main counsel for the petitioner.

7. At request and with consent of the parties, list the matter along with other pending application for a physical hearing **on 22.08.2024.**

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(RAMALINGAM SUDHAKAR)
PRESIDENT

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(AVINASH K. SRIVASTAVA)
MEMBER (TECHNICAL)

Vinod Arora – 04.07.2024