

IN THE NATIONAL COMPANY LAW TRIBUNAL: NEW DELHI
PRINCIPAL BENCH

ITEM No. 13
TA (Co. Act)- 12(PB)/2024

IN THE MATTER OF:

Mr. Sanjay Aggarwal S/o Roshan Lal
(Director And Shareholder of MPN
Fincap Private Limited)

.... Petitioner

v.

MPN Fincap Private Limited

.... Respondent

Order under Rule 16(d) NCLT, 2016

Order delivered on 10.05.2024

CORAM:

JUSTICE RAMALINGAM SUDHAKAR
HON'BLE PRESIDENT

(HEARING THROUGH PHYSICAL MODE & VC)

PRESENT:

For the Petitioner : Adv. G.P. Madaan, Adv. Rahul Kapoor
For the Respondent : Adv. Arun Saxena. Adv. Sanu Pastore for
Respondent No. 2 to 7

ORDER

1. The prayer made in this application reads as follows:-

- a. Allow the present Petition to transfer CP-35/ND/2024 and CP-29/ND/2024 to one Bench of this Hon'ble Tribunal i.e. from either Bench III to Bench II or vice versa;
- b. Pass any other order as this court may deem fit, in light of the facts and circumstances stated hereinabove.

2. The details of the two company petitions are given in paragraph no. 2 of the application which reads as follows:-

2. The details of the two company petitions are reproduced herein for the convenience of this Hon'ble Tribunal:

| Case No. | Bench | Section | Petitioners | Respondents |
|-------------------|-----------|------------------------|------------------|--|
| CP No. 29 of 2024 | New Delhi | Section 241-242 of the | Petitioner No. 1 | Respondent No. 1 MPN Fincap Private Limited |

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|---|---------------------------|---|---|---|
| <p>Annu Aggarwal & Ors. V. MPN Fincap Private Limited & Ors.</p> | <p>Bench III</p> | <p>Companies Act, 2013</p> | <p>Mrs. Anu Agarwal Petitioner No. 2 Mrs. Rama Rani Petitioner No. 3 Mr. Shikha Agarwal</p> | <p>Respondent No. 2 Mr. Sanjay Aggarwal Respondent No. 3 Mrs. Bela Aggarwal</p> |
| <p>CP No. 35 of 2024 Sanjay Aggarwal V. MPN Fincap Private Limited & Ors.</p> | <p>New Delhi Bench II</p> | <p>Section 241-242 of the Companies Act, 2013</p> | <p>Petitioner No. 1 Mr. Sanjay Aggarwal</p> | <p>Respondent No. 1 MPN Fincap Private Limited Respondent No. 2 Ms. Anu Agarwal Respondent No. 3 Ms. Shikha Agarwal Respondent No. 4 Ms. Rama Rani Respondent No. 5 Mr. Susheel Aggarwal Respondent No. 6 Mr. Abhishek Aggarwal</p> |

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|--|--|--|--|--|
| | | | | Respondent No. 7 Mr. Manik Aggarwal |
|--|--|--|--|--|

3. It is stated that the proceedings have been started before Bench-III, NCLT, New Delhi, whereas, proceedings before Bench-II, NCLT, New Delhi are yet to be started. In this view of the matter, parties seek to list both the matters before single bench for better adjudication of the matters.
4. Since the parties are primarily same in both the cases and they consent to the above, transfer application stands ordered directing **CP-35/2024 titled as Sanjay Aggarwal Vs. MPN Fincap Pvt. Ltd. & Ors. pending before Bench-II, NCLT to be transferred to Bench-III, NCLT, New Delhi.**
5. **Accordingly, TA (Co. Act)- 12(PB)/2024 stands allowed.**

Sd/-
(RAMALINGAM SUDHAKAR)
PRESIDENT

10.05.2024
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