

IN THE NATIONAL COMPANY LAW TRIBUNAL, NEW DELHI
COURT-V
(Division Bench)

Item No.-529

CP-106/241-242/ND/2023

IA(Co. Act)/154/2024, CA/327/2023

IN THE MATTER OF:

Sh. Rakesh Jain & Anr.

.....Applicant

Vs.

MCJ Multipack Private Limited & Ors. {15}

.....Respondent

SECTION

U/s 241-242

Order delivered on 10.07.2024

CORAM:

**SHRI MAHENDRA KHANDELWAL,
HON'BLE MEMBER (JUDICIAL)**

**Dr. SANJEEV RANJAN,
HON'BLE MEMBER (TECHNICAL)**

HYBRID HEARING (PHYSICAL & VC)

PRESENT:

For the Applicant : Mr. Bharat Arora, Adv.

For the Respondent : Mr. Rishi Sood, Mr. Ashutosh Gupta, Mr. Gaurav
Rana, Mr. Ajitesh Kumar, Advs.

ORDER

IA/(Co. Act)/154/2024:-

Ld. Counsel on behalf of the Applicant is present and submitted that they want to file rejoinder to the reply given by the Non-Applicant. Time prayed for filing rejoinder is granted. Ld. Counsel on behalf of the Non-Applicant is present and submitted that they have filed their reply. However, their reply is not reflected on the e-portal. Ld. Counsel on behalf of the Non-Applicant is directed to approach the Registry and cure the defects, if any, so that the same is reflected on the e-portal. List this application on **11.09.2024**.

CA/327/2023:-

This is an application filed by the Petitioner of the main petition (filed under Section 241-242 of the Companies Act, 2013), seeking certain directions to the Respondents. Heard the submissions made by the Ld. Counsel on behalf of the Applicant and Ld. Counsel on behalf of the Non-Applicant. Prayer No. 1 is for “seeking directions to Respondents for production of books of accounts and financial statements of Respondent No.1 Company for inspection.” It may be stated that the similar relief was prayed by the Petitioner in CA/54/2024 in CP-172/241-242/PB/2023 on which certain directions have been issued by this Tribunal today itself. The same reliefs which have been granted in that application will also be applicable to this application. Prayer No. 2 is about “appointment of an IT Expert for installation of CCTV Cameras in the premises of Respondent No. 1 Company with the assistance of the Petitioners.” Ld. Counsel on behalf of the Non-Applicant referred to paragraph 7 of their reply, wherein the Non-Applicant has disclosed that, “CCTV Cameras are already installed at the premises of the Respondent No. 1 Company and the same are in good working condition” photographs showing the working of CCTV Cameras are annexed with the reply as Annexure No. 2. Ld. Counsel on behalf of the Applicant submitted that, (i) that CCTV Cameras are to be installed at the places identified by the Applicant. (ii) the Applicant should also be given access to the footage of that cameras. At this stage it would not be appropriate to give a direction for installation of CCTV Cameras at the particular place of the Company, as directed by the Applicant. However, if the Applicant is having specific grievances and has specific request for installation of a CCTV Camera at a particular place, the request can be made separately. As far as the footage of the CCTV Camera is concerned in terms of the provisions contained in the Companies Act, 2013 and Rules made there under if the Petitioner as a Shareholder/Director is having any legal right to see the same, the request can be made to the Non-Applicant as per the procedure prescribed in the Companies Act, 2013 and Rules made there under and Non-Applicant shall

consider such request as permissible under the law. With these observations, the present application i.e. CA/327/2023 is **disposed of**.

Sd/-
(Dr. SANJEEV RANJAN)
MEMBER (T)

Sd/-
(MAHENDRA KHANDELWAL)
MEMBER (J)