

IN THE NATIONAL COMPANY LAW TRIBUNAL: NEW DELHI
COURT-VI

Item No. 101
99/241-242/ND/2023

IN THE MATTER OF:
Ms. Puja Khaneja and Ors.

...APPLICANT

Vs.

M/s. Om Innovation Call Services Pvt.
Ltd. and Ors.

...RESPONDENT

Section
U/s 241-242

Order delivered on 08.11.2023
(Virtual Hearing)

Coram:
SHRI MAHENDRA KHANDELWAL, HON'BLE MEMBER (JUDICIAL)
SHRI RAHUL BHATNAGAR, HON'BLE MEMBER (TECHNICAL)

PRESENT:
For the Petitioner/Applicant

:Adv. Tishampati Sen, Adv. Riddhi Sancheti, Adv. Anurag Anand, Adv. Himanshu Kaushal, Adv. Mukul Kulhari

For the Respondent

:Adv. Surjeet Singh Malhotra for R-2. Adv. Aakriti Dawar for R-3. Mr. Yash Ahluwalia adv for R4, R5 and R6.

ORDER

IA/380/2023

Counsel for the Applicant has submitted that the affidavit to be filed by the Petitioner in compliance of the order dated 18.10.2023 could not be filed till today for the reason that both the parties had not been able to sign on the concerned documents. The same has been denied by the Counsel for the Respondent. Counsel for the Applicant has however stated that the same will be filed within the next 10 days.

The matter is coming up for final hearing on 23.11.2023 when the main matter in both the petitions will be heard on merits. In the interim the salaries and other essential expenditures of the Company have to be paid so that it continues as a going concern. For that reason, we had earlier also allowed the Company to spend upto Rs.2 crore a month in respect of the essential

payments including salaries. It has come to our knowledge today that the payments for the month of October have not been made because of certain objections raised by the Respondents. However, Counsels for both the parties have today agreed that in the light of the fact that festival season is approaching and the employees need the salaries as well as other essential expenditure of the Company including payment to vendors has to be done, both the parties will affix their signatures to the documents relating to the payment upto an amount of Rs.2 crore by the Company and that the payment to the vendors will be limited to the extent of payment made in the month of September, 2023. The EMIs to be paid by the Company to the concerned bank will also be paid and if the expenditure on account of payment of EMIs exceeds Rs.2 crores it would be permitted to that extent. Both the parties may submit their compliance within 10 days. Post this matter to **23.11.2023**.

Dasti permitted.

Sd/-
(Rahul Bhatnagar)
Member (T)

Sd/-
(Mahendra Khandelwal)
Member (J)