

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

Item No. 101
C.P-99/241-242/ND/2023
IA/211/2024

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 07.06.2024
Hybrid Hearing (PHYSICAL & VC)

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. Mukul Kulhari.

For the Respondent

:Mr. Shreshth Choudhary, Ms.
Anshika Pandey for R-2 (Virender
Arora) & Ms. Aakriti Dawar For
R-3 (Sushma Arora).

ORDER

IA/211/2024

This is an application filed under Section 242 (4) of the Companies Act, 2013 read with Rule 11 of the NCLT Rules, 2016 seeking certain directions to the Axis Bank to remove the Freeze marked on the Respondent-1 bank account bearing no. 207010200011787 and 915020018456096 without insisting on submission of form mentioned in the e-mail dated 20.05.2024.

Heard the Ld. Counsel on behalf of the Applicant and Ld. Counsel on behalf of the Respondent-2. It was submitted that this tribunal vide order dated 17.08.2023 passed in IA/278/2023 in C.P.-99/241-242/ND/2023 in the matter of Ms. Puja Khaneja and Ors. V/s M/s. Om Innovation Call

Services Pvt. Ltd. and Ors. has directed the Axis Bank to permit the Applicants to operate the account in case request is made by the Applicants jointly to make the payment as mentioning the order from the accounts. It was further directed that the accounts shall be operated in the presence of both the Applicants with the cooperation of the bank to make the payment as indicated therein. Ld. Counsel on behalf of the Applicant submitted that despite this order the Respondent/ Non-Applicant bank is not allowing operation of the bank account on the pretext of certain documents mentioning e-mail dated 17.05.2024. In order for effective implementation of the said order, without disturbing the e-mail dated 20.05.2024, the bank shall allow the Applicants to operate the bank accounts in terms of order dated 17.08.2023 without insisting on e-KYC documents. It is made clear that we have not passed any order for de-freezing of the account by the bank, we have allowed the bank to make the payment from that account in terms of our order dated 17.08.2023. The bank shall also allow credit in these accounts. With these observations, present IA is **disposed off**.

Sd/-
(Rahul Bhatnagar)
Member (T)

Sd/-
(Mahendra Khandelwal)
Member (J)