

NATIONAL COMPANY LAW TRIBUNAL
CUTTACK BENCH
COURT No. 1
VC AND PHYSICAL (HYBRID) MODE

ITEM No. 104
CP No. 110/CB/2021
IA (Companies Act) No. 36/CB/2024

Proceedings under Section 57, 89 of Companies Act

IN THE MATTER OF:

Chhattisgarh Steel & Power Ltd.
V/S
Raipur Power & Steel Ltd. & Ors.

.....Applicant

.....Respondent

Order delivered on 26/06/2024

Coram:

Dr. N. V. Ramakrishna Badarinath, Hon'ble Member(J)
Shri Charan Singh, Hon'ble Member(T)

PRESENT:

For the Applicant

:

For the Respondent

Mr. Saswat K. Acharya, Adv.
Mr. Ashutosh Khemani, CS
Ms. S. Pholgu, Adv.
Ms. Jagruti Sahoo, Adv.
Mr. Abhijeet Agarwal, Adv.
Mr. Subham Agarwal, Adv.
Mr. Jaish Joshi, Adv.

ORDER

IA (Companies Act) No. 36/CB/2024:

This application has been filed under Rule 49 (2) R/w Rule 11 of NCLT Rules, 2016 by the respondent nos. 2,3 & 5 in the company petition praying to set aside the order dated 26.07.2022 whereby, these respondents were set *ex-parte* for their non-appearance, despite service of notice. Notice of this petition has been given and the leaned counsel for the 1st Respondent/Company Petitioner is present. Reports no counter. Under the circumstances, we are of the opinion that interest of justice requires that the order dated 26.07.2022, wherein the respondents nos. 2, 3 & 5, were set *ex-parte* be set aside, however, on condition that counter, if any, of these respondents shall be filed within two week.Rejoinder, if any, within ten days. In default, opportunity stands closed. With these directions, list the matter on 01.08.2024.

CP No. 110/CB/2021:

Learned counsel Umesh Chandra Sahoo appeared for the Company Petitioner. Learned counsel Mr. Saswat K. Acharya appeared for the respondent.

List the matter on 01.08.2024.

SD/-

**Charan Singh
Member (Technical)**

SD/-

**Dr. N. V. Ramakrishna Badarinath
Member (Judicial)**