

IN THE NATIONAL COMPANY LAW TRIBUNAL
AHMEDABAD
DIVISION BENCH
COURT - 1

ITEM No.208
Co.Appeal 29 of 2019

Proceedings under Section 59, 58(4) of Co. Act, 2013

IN THE MATTER OF:

Ramkishore Boob

.....Applicant

V/s

Mishtann Foods Ltd

.....Respondent

Order delivered on: 27/06/2024

Coram:

Mr. Shammi Khan, Hon'ble Member(J)

Mr. Sameer Kakar, Hon'ble Member(T)

PRESENT:

For the Applicant : Mr. Manoj Kumar Mishra, Advocate

For the Respondent : Mr. Vishal Dave, Advocate

ORDER

(Hybrid Mode)

In compliance of the last order dated 25.04.2024, applicant has filed additional affidavit along with proceedings pending before the Trial court as recorded in the last order on 18.06.2024 vide inward diary No. 4425, same is taken on record.

Further, in compliance of the last order dated 25.04.2024, the Respondent Co. has filed one purshis today which is unsigned vide inward diary No. 5057 along with downloaded print of e-mail of one page mentioning that his office has written and send various mails to the agents for providing the details/information as ordered on last occasion. More than 2 months has already lapsed but order has not been complied by the respondent.

Learned Counsel for the Respondent Co states that one month more may be given as sought by the respondent agent which is seriously opposed by the learned Counsel appearing for the applicant. We are also not inclined to grant this much time as two months has already lapsed, sufficient time was available for respondent for gathering the information and documents to place on record before this Tribunal.

However, in the interest of justice one more opportunity is given subject to costs Rs 10,000/- to be paid in the Prime Minister National Relief Fund within a period of 7 days and file a proof for the same.

Further, liberty is given to the respondent to rebut the additional affidavit filed by the applicant within a period of two weeks with advance copy to the opposite learned Counsel.

Re-list on 01.08.2024.

-Sd-
SAMEER KAKAR
MEMBER (TECHNICAL)

-Sd-
SHAMMI KHAN
MEMBER (JUDICIAL)