

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

ITEM No.112
Appeal/39(AHM)2022

Proceedings under Section 58(3) & 59 of Co. Act, 2013

IN THE MATTER OF:

Sanatan B Kadakia

.....Applicant

V/s

Ellite Engineering Company Pvt Ltd & Ors

.....Respondent

Order delivered on: 16/05/2024

Coram:

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

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

PRESENT:

For the Applicant : Ms. Noopur K Dalal, Adv.

For the Respondent : Mr. Lalit M Patel, Adv.

ORDER

As per record Respondent No. 1, 3 and 4 has filed reply on 24.01.2024 vide inward diary no. D25. also filed additional affidavit. The applicant has filed combined rejoinder on 01.05.2024 vide inward diary no. 3419. The same is taken on record.

it is seen that Respondent No. 2,5 and 6 have not filed again reply. Therefore, right to file reply of Respondent-2, 5 and 6 is hereby closed.

Learned counsel for the Respondents submits that In terms of statements made by him on 18.01.2024 25% share can be transferred in favour of appellant as per interpretation of the Respondents.

Learned counsel for the Appellant gives consent for the same. Let same be transferred in the name of the appellant by the Respondent Company.

Let the Respondent within 7 days from this order write to the applicant for qua the other formality such as indemnity bond ,if any, we direct the applicant to furnish the same within a period of 10 days from the date of receipt of the communication.

The Respondent No.1 is thereafter directed to transfer the shares within a period of 2 weeks from the receipt of the documents.

For other prayers in this application Re-list on 18.07.2024

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SAMEER KAKAR
MEMBER (TECHNICAL)

SHAMMI KHAN
MEMBER (JUDICIAL)