

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

ITEM No.223
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: 22/07/2024

Coram:

Mr. Praveen Gupta, Hon'ble Member(J)

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

PRESENT:

For the Applicant : Ms. Noopur Dalal, Advocate

For the Respondent : Mr. Harshil Patel, Advocate

ORDER

(Hybrid Mode)

An additional affidavit has been filed by the respondent vide inward diary No. D-5730 dated 19.07.2024.

It appears that, certain resolutions have been passed in the matter by Respondent Company, and 25% of the shares have been transferred to the legal heirs in the board meeting held on 27.05.2024.

The extract of the minutes and the copy of the register of members are also annexed along with the affidavit. Learned Counsel for the applicant states that the procedure followed by the company for the transfer of shares was not proper.

Learned Counsel seeks some more time to clarify regarding such irregularities in the transfer and also requests adjournment in the matter.

Re-list the matter for physical hearing 08.08.2024.

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SAMEER KAKAR
MEMBER (TECHNICAL)

PRAVEEN GUPTA
MEMBER (JUDICIAL)