

NATIONAL COMPANY LAW TRIBUNAL, MUMBAI BENCH
COURT III

10. I.A. 117/2024

In

C.P. 2762/2019

CORAM: MS. LAKSHMI GURUNG, MEMBER (J)
SH. CHARANJEET SINGH GULATI, MEMBER (T)

ORDER SHEET OF THE HEARING OF MUMBAI BENCH OF THE NATIONAL
COMPANY LAW TRIBUNAL ON **28.06.2024**

NAME OF THE PARTIES: Vinayak Jashwantlal Bardolia

VS

Rudrapriya Fabrics Private Limited

Appearance

For Applicant: Adv Dhiren R Dave

SECTION 59-213 OF THE COMPANIES ACT, 2013

ORDER

Hearing Through: Virtually and Physical (Hybrid) Mode

I.A. 117/2024

This application has been filed by the original petitioner, Mr. Vinayak Jashwantlal Bardolia seeking *inter alia* following prayer;

- 1) *The fresh reply of 328 pages dated 11.04.2024 filed by respondent no. 1 and 5 shall be deemed inadmissible and cannot be taken on record.*
- 2) *Right to file reply to additional affidavit as per order dated 05.03.2024 be closed and matter may be listed for final hearing.*

On 05.03.2024, this Court had granted time to the Respondent no. 1, Respondent no. 4 and Respondent no. 5. to file reply to the Additional Affidavit within three weeks, in response to which Respondent no. 1 and 5 have filed joint reply to the Company Petition.

Learned counsel for the Applicant submits that liberty was granted only to file reply to the Additional Affidavit and not to the Company Petition. However, reply has been filed by the respondent to the Company Petition consisting of 326 pages.

Upon query posed to the applicant for reasons to oppose the reply placing on record the documents, he submits that he must be given liberty to file rejoinder to such reply.

After considering the submissions, we consider that justice would be done, if the reply filed by the respondents is taken on record and the Applicant be permitted to file rejoinder to the said reply within three weeks. With above directions, I.A. is **disposed of**.

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List this matter on **20.08.2024**.

Sd/-
CHARANJEET SINGH GULATI
Member (Technical)

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Sd/-
LAKSHMI GURUNG
Member (Judicial)