

**IN THE NATIONAL COMPANY LAW TRIBUNAL
MUMBAI BENCH**

COURT – IV

15.

CP/68(MB)/2024

CORAM:

MS. ANU JAGMOHAN SINGH
MEMBER (Technical)

SHRI KISHORE VEMULAPALLI
MEMBER (Judicial)

ORDER SHEET OF THE HEARING HELD ON **16.05.2024**

NAME OF THE PARTIES:

Sewakpal Awtarsingh Bedi
Vs
Bedi A M Private Limited

SECTION: 241(1), 242(4), 244(1) OF THE COMPANIES ACT, 2013.

ORDER

1. Mr. Shawn Fernandes a/w Mr. Nausher Kohli, Ld. Counsel for the Petitioner present.
2. This is a Petition filed under Section 241(1), 242(4) & 244(1) of the Companies Act, 2013 seeking interim reliefs on prayers from 'a' to 'z' and 'aa' to 'kk'. Out of the prayers sought in the Petition, the Counsel for the Petitioner today insisting for granting the interim relief on prayers of 's' & 't' for restraining the Respondents 3&4 from acting/ holding out as Directors of the Respondent Company and interfering in the activities of the Company thereby taking any decision and carrying out any activities of the R1 company.
3. The Counsel submits that Section 166(6)(b) of the Companies Act, 2013 categorically states that a director of a company shall not assign his office and any assignment so made shall be void.

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4. In the instant case, R2 has delegated his powers of acting as director to R3 and R4 through a General Power of Attorney (GPA). This Bench is of the considered view that by virtue of the Section 166(6)(b) of the Companies Act, 2013, this action of R2 is not legal and not in consonance of the provisions of the Companies Act, 2013. Hence, this Bench hereby grants injunction restraining the R3 & R4 from entering the office the Company and acting as director or inspecting the documents of the office of the R1 Company.
5. Meanwhile, all the Respondents are directed to file their reply within three weeks.
6. List this matter on **18.07.2024** for further consideration.

Sd/-
ANU JAGMOHAN SINGH
Member (Technical)

Sd/-
KISHORE VEMULAPALLI
Member (Judicial)