

NATIONAL COMPANY LAW TRIBUNAL

KOCHI BENCH

CORAM: SHRI SHYAM BABU GAUTAM
HON'BLE MEMBER (TECHNICAL)

TMT. T.KRISHNA VALLI
HON'BLE MEMBER (JUDICIAL)

PETITION No./IA No.	CP(C/ACT)/11/KOB/2024
SECTION	.SEC. 97 C/ACT.
NAME OF PARTIES	JOSEPH STANISLAUS V/S M/S MALABAR PRODUCE & RUBBER CO LTD & ANOTHER.
PETITIONERS ADVOCATE/ PROFESSIONAL	AJAI BABU
RESPONDENTS ADVOCATE/ PROFESSIONAL	CK KARUNAKARAN, KV KRISHNA KUMAR, SHIFNA MUHAMMED SHUKKUR, KRISHNA SURESH, MEKHA MANOJ

27 JUNE 2024

ORDER

CP(C/ACT)/11/KOB/2024

This is a CP bearing No. 11/KOB/2024 filed by the Petitioner under Section 97 of the Companies Act, 2013. In the said Petition, the Petitioner has arrayed 2 respondents as parties.

Learned Counsel, Mr. Ajai Babu appears on behalf of the Petitioner through virtual mode.

In terms of order dated 03.05.2024, Counsel appearing for the Respondents were given 3 weeks to file their reply affidavit. Today, learned Counsel, Mr. K V Krishnakumar appears physically on behalf of R1 and submits across the bar that he has filed the reply affidavit vide diary No. 1460/2024. However, the same is not on record. Counsel appearing for R1 is directed to make necessary endeavour to place his reply affidavit on record on or before the next date fixed for hearing.

None appears on behalf of RoC/R2. Registry as well as Petitioner is directed to issue notice to RoC, returnable on 25.07.2024. Petitioner is also directed to file affidavit

(2)

of service enclosing therewith a proof of service of notice served on the RoC at least three days before the next date of hearing.

RoC is at liberty to file their reply affidavit on or before the next date of hearing, after serving copy on the other side.

List this matter for further consideration on **25.07.2024**.

Sd /-

**SHYAM BABU GAUTAM
MEMBER (TECHNICAL)**

Sd /-

**T.KRISHNA VALLI
MEMBER (JUDICIAL)**