

**NATIONAL COMPANY LAW TRIBUNAL
DIVISION BENCH, COURT – II
CHENNAI**

ATTENDANCE CUM ORDER SHEET OF THE HEARING OF NATIONAL COMPANY LAW TRIBUNAL, CHENNAI BENCH, HELD ON 26-06-2024 AT 10.30 A.M. THROUGH VIDEO CONFERENCING:

**PRESENT : SHRI. JYOTI KUMAR TRIPATHI, HON'BLE MEMBER (JUDICIAL)
SHRI. RAVICHANDRAN RAMASAMY, HON'BLE MEMBER (TECHNICAL)**

APPLICATION NUMBER : --

PETITION NUMBER : CP(CA)/128(CHE)/2023

NAME OF THE PETITIONER : Shahid Younus Sait

NAME OF THE RESPONDENT(S) : SKS Resorts India Pvt Ltd & 4 Ors

UNDER SECTION : Sec 241-242 of CA, 2013

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DIVISION BENCH, COURT – II
CHENNAI**

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SHRI. RAVICHANDRAN RAMASAMY, HON'BLE MEMBER (TECHNICAL)**

IN THE MATTER OF : **Shahid Younus Sait & 4 Ors**

PETITION NUMBER : **CP(CA)/128/CHE/2023**

APPLICATION NUMBER : **a) IA(CA)/106/CHE/2024
b) CP(CA)/77(CHE)/2024**

221. CP(CA)/128(CHE)/2023

223. a. IA(CA)/106/CHE/2024 IN CP(CA)/128/CHE/2023

223.b. CP(CA)/77(CHE)/2024 IN CP(CA)/128/CHE/2023

ORDER

Ld. Counsel Mr.Vidhya Shankar for the Petitioner. Ld. Sr. Counsel Mr. P.H. Arvinth Pandian for the Respondent.

In this case in earlier hearing held on 08.05.2024 we had directed to R1 company to “extend assistance to the Petitioner to visit the company and to brief on the financial affairs of the company on a mutually convenient date”. Counsel for the Respondent stated that certain people visited the resort on 17.05.2024 around mid night and created certain disturbances and also occupied the rooms. The Counsel stated that same has been done by the Petitioner. On this Counsel for the Petitioner stated that he has no instruction and would submit an affidavit from the Petitioner confirming the incidents on 17.05.2024. This Court takes a serious view in the matter that the instructions issued by this Court should not be misconstrued and taken advantage. Further the Counsel for the Petitioner stated that he would seek an exit if appropriate valuation is given for his shareholding of 33.33%. Counsel for the Respondent stated that the shareholding of the Petitioner is only 25% as per records and also on the issue of exit of the Petitioner he would seek instructions from his client. All the parties including the petitioner and R2, R3, R4 are directed to be present in person during the next hearing.

Meanwhile the directions relating to visiting the company and to be briefed on the financial affairs is kept in abeyance. However the Respondent company may provide information to the Petitioner twice in a month as the Petitioner is entitled to such information as shareholder and Director.

List the matters for **physical hearing at top of the list on 16.07.2024.**

-Sd-

RAVICHANDRAN RAMASAMY
Member (Technical)

-Sd-

JYOTI KUMAR TRIPATHI
Member (Judicial)

phk