

**IN THE NATIONAL COMPANY LAW TRIBUNAL  
HYDERABAD BENCH – 1  
VC AND PHYSICAL (HYBRID) MODE  
ATTENDANCE CUM ORDER SHEET OF THE HEARING HELD ON  
25-07-2024 AT 10:30 AM**

**CP No. 433/241/HDB/2020**

**AND**

**Execution Petition 1/2024 & IA (CA) 210/2024 in Execution Petition 1/2024**

**in CP No. 433/241/HDB/2020**

u/s. 241 of Companies Act, 2013

**IN THE MATTER OF:**

Mantrawadi Nagachandrika and 4 others

**...Petitioner**

**AND**

MPR Refractories Pvt Ltd & 7 others

**...Respondent**

**C O R A M:-**

**DR. VENKATA RAMAKRISHNA BADARINATH NANDULA, HON'BLE MEMBER (JUDICIAL)  
SH. CHARAN SINGH, HON'BLE MEMBER (TECHNICAL)**

**O R D E R**

**Execution Petition 1/2024**

Learned Counsel Mr Assad Hussain, for applicant present physically.

Matter passed over.

Matter called again. call on 06.08.2024, for filing proof of service.

**IA (CA) 210/2024 in Execution Petition 1/2024**

Learned Counsel Mr Assad Hussain, for applicant present physically.

None appeared for the respondent. Learned counsel is directed to inform whether notice of today's hearing of IA No 210/2024 in EP. No 1/2024 is given to the respondents or not.

Learned counsel submitted that he had served copies of the execution petition the on the respondents on 18.07.2024 and in so far as today's hearing in IA No 210/2024 is concerned, he has intimated the same by way of WhatsApp message, phone call and filed photo copies of the WhatsApp calls and Messages. We therefore adjourn the same till 01::00PM enabling the representation if any for respondents.

Matter called again at 01::00PM.

Learned counsel for applicant Mr Assad Hussain alone for applicant present. None appeared for the respondents.

Learned counsel submits that as the orders passed by this Tribunal in CP No 433/241/HDB/2020 dated 28.11.2023, since not complied he had filed the present execution petition and pending the same he filed the present IA No 210/2024 seeking stay of AGM, proposed to be held on 25.07.2024 at 04::00 PM.

According to the learned counsel the proposed AGM, which has been called vide the e-mail dated 29.06.2024, notice dated 26.06.2024, Board report dated 26.06.2024 and the independent auditors report dated 26.06.2024, is illegal besides in gross violation of the order passed by this Tribunal, which is sought to be executed through present EP.

Learned counsel for applicant has drawn our attention to the Agenda Items of the proposed meeting, and contended that if a resolution is passed in respect of these

items, serious loss and prejudice will be caused to the applicant. Hence prayed for stay of the proposed AGM.

Having heard the learned counsel for the applicant and on perusal of the record placed before us, we are of the view that the facts and circumstances of this case does not warrant stay of the proposed AGM, scheduled to be held on 25.07.2024.

However, in the interests of the first respondent, we are of the view that the proposed resolutions if passed, the respondents shall not implement the same, without the order of this Tribunal. Hence, we hereby order accordingly,

List the matter for counter and for hearing, matter adjourned to 06.08.2024.

The respondents are at liberty to move application for modifying/vacating this order if the respondent feel so, by following the procedure, even before the next hearing date.

Call on 06.08.2024.

**Sd/-**  
**MEMBER (T)**

**Sd/-**  
**MEMBER (J)**