

**IN THE NATIONAL COMPANY LAW TRIBUNAL
HYDERABAD BENCH – 1
VC AND PHYSICAL (HYBRID) MODE
ATTENDANCE CUM ORDER SHEET OF THE HEARING HELD ON
24-04-2024 AT 10:30 AM**

CP No. 45/241/HDB/ 2023

AND

**IA(CA) 20/2024 in IA(CA) No. 264/2023, IA(CA) 264/2023, IA(CA) 65, 69, 76, 77,
82/2024 & Contempt (CA) 05/2024 in CP No. 45/241/HDB/ 2023**

u/s. 241 of Companies Act, 2013

IN THE MATTER OF:

Escientia Life Sciences & ors

...Petitioner

AND

Escientia Advanced Sciences Pvt Ltd & Others

...Respondent

C O R A M:-

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

ORDER

CP No. 45/241/HDB/ 2023

Learned Senior Counsel Mr Vivek Reddy, along with Mr Soumya Das Gupta, Mr Dwijesh Kapila, Mr Aviral Singhal, and Mr Bheemachary for the petitioners present physically

Learned Senior Counsel Mr. S. Niranjan Reddy, for respondent No 2 and 3 present through Video Conference.

Learned Counsel Mr. Tarun G Reddy and Mr Sairam, for respondent No 2 and 3 present physically.

Learned Senior Counsel Mr S. Niranjan Reddy, for Respondent No.2 and 3 present through Video Conference.

Learned Senior Counsel Mr Arvind Pandian, for Respondent Nos 4 to 6 present through Video Conference.

Learned Counsel Mr Aatif, Respondent Nos 7 to 9 present physically.

Call on 29.04.2024.

IA(CA) 20/2024 in IA(CA) No. 264/2023

Call on 29.04.2024.

IA(CA) 264/2023

Call on 29.04.2024.

IA(CA) 65/2024

Both sides present. Call on 29.04.2024.

IA(CA) 69/2024

Both sides present. Pleadings completed. For hearing, call on 29.04.2024.

IA(CA) 76/2024

It is noticed from the earlier proceedings, that in this IA, we have not specifically directed notice to be taken to the proposed respondent no.10 namely, Dr M S M Mujeebur Rahuman, in our order dated 04.04.2024. however, learned senior counsel Mr Vivek Reddy, today submits that, notice has been taken to the proposed 10th respondent in pursuance of the order dated 04.04.2024, however, he is not sure whether proof of service of notice has been filed or not. Needless to say that, notice to the proposed party is mandatory before the prayer to implead such person is considered and it is now clear that no such notice is ordered by this Tribunal or served on the proposed party.

In this back drop, learned senior counsel Mr S Niranjana Reddy, for respondent nos 3 and 4 and learned senior counsel Mr Arvinth Pandian for Respondent no.2 both the senior counsels have submitted that impleading third party in proceedings under section 241 of Companies Act is not contemplated under law, as such they may be heard before ordering notice. Hence, Call on 29.04.2024 for hearing both sides.

IA(CA) 77/2024

Heard learned senior counsel Mr Vivek Reddy, for applicant. At request of learned senior counsels for Respondent Nos 2,3 and 4, matter adjourned to 29.04.2024, for hearing.

IA(CA) 82/2024

Call on 29.04.2024.

Supplementary list

IA(CA)103/2024

This is an urgency application to list IA(CA)104/2024. Since the IA(CA)104/2024 is already listed in the supplementary list, **this application becomes infructuous.**

IA(CA)104/2024

This is an application for suspension of Respondent Nos 4,5 and 6. For filing counter two weeks' time granted and the matter be listed after filing the counter upon being mentioned.

Sd/-

MEMBER (T)

Sd/-

MEMBER (J)