

**IN THE NATIONAL COMPANY LAW TRIBUNAL: CHANDIGARH**  
***(through Hybrid Mode)***  
**COURT-I**

Item No. 4

CP(IB) No. 25/Chd/Hry /2024

**IN THE MATTER OF:**

Jaya Prakash

...Petitioner

Vs.

Forty five Positive Tech Pvt. Ltd. & Ors.

...Respondent

**Under Section:** 241-242, CA 2013

**Order delivered on 29.04.2024**

**CORAM:**

**SH. L. N. GUPTA**  
**HON'BLE MEMBER (T)**

**SH. HARNAM SINGH THAKUR**  
**HON'BLE MEMBER (J)**

**PRESENT:**

For the Petitioner : Mrs. Payal Chawla, Advocate  
Ms. Hina Shaheen, Advocate

**ORDER**

The present petition has been filed under Section 241-242 of Companies Act, 2013 by the Petitioner claiming 19.8% of the shareholding of the Respondent No. 1 Company. The petitioner has alleged some instances of oppression and mismanagement against the respondents. However, it is seen that vide Board Resolution dated 11.01.2024, the present petitioner who was earlier Director sought exit herself and her presence in the said meeting has been admitted by the learned counsel for the petitioner. Be that as it may, let the notice of this petition be issued to the respondents within two weeks. The petitioner shall collect the notice from the Registry and send the same immediately to the respondents at its registered address

by speed post along with copy of the petition and the entire paper book with a copy of this order as well as at the email address of the respondents.

In case, the service of speed post on the respondents is not effected, then the petitioner shall adopt the mode of substituted service and the notice of hearing be advertised in two daily newspapers (one English and one Hindi) having wide circulation in the area and file affidavit of service along with copy of postal receipt, tracking report, copy of email and paper clippings, if applicable within two weeks.

Reply, if any, be filed within two weeks after receipt of notice with a copy in advance to the counsel opposite. Rejoinder thereto, if any, be filed one week thereafter, with a copy in advance to the counsel opposite. List the matter on 15.07.2024.

However, the question with regard to the maintainability of the petition will remain open.

-sd-  
**(L. N. GUPTA)**  
**MEMBER (T)**

SM

-sd-  
**(HARNAM SINGH THAKUR)**  
**MEMBER (J)**