

**THE NATIONAL COMPANY LAW TRIBUNAL
CHANDIGARH BENCH, CHANDIGARH
(through web-based video conferencing platform)**

**Item No. 3
CP No. 109/Chd/Hry/2022**

**Under Sections 241-244 of the
Companies Act, 2013**

In the matter of:-

Avinash Chander Gumber ...Petitioner

Vs.

Jayem Auto Industries Pvt. Ltd. ...Respondents

Present through Video Conferencing:

Mr. Anand Chhibbar, Senior Advocate with Mr. Dhruv Gupta and Mr. Rakesh Kumar, Advocates for the petitioner.

This petition has been filed under Sections 241-242 of the Companies Act, 2013 read with Sections 51 and 58 of the Companies Act, 2013 seeking relief *inter alia* respondent No. 1 to restrain the name of the respondent as Member of respondent No. 1-company with restoration of his shares equivalent to 33.02% in respondent No. 1-company as on 01.03.2019 by rectifying i.e. by respondent No. 1 company and in alternate respondents to pay to the petitioner a total fair market value 46,050 equity shares of respondent No. 1 company in March 2013 alongwith interest. He has also sought for some *inter alia* reliefs too. At this stage, without going through the merits of the present petition, let notice of this petition be issued to the respondent(s) for 22.02.2023.

2. The petitioner shall collect the notices from the Registry and send the same immediately to the respondent(s) at their registered addresses by speed post along with copy of petition and the entire paper book and the

copy of this order as well as at the email address, if available, of the respondents.

3. In case, the service of speed post on the respondents is not effected, 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 three weeks.

4. Reply be filed within three weeks after receipt of notice with a copy in advance to the counsel opposite. Rejoinder thereto, if any, be filed two weeks thereafter with a copy in advance to the counsel opposite.

5. List on 22.02.2023.

Sd/-

(Subrata Kumar Dash)
Member (Technical)

Sd/-

(Harnam Singh Thakur)
Member (Judicial)

December 07, 2022
YP