

**IN THE NATIONAL COMPANY LAW TRIBUNAL**  
**NEW DELHI BENCH (COURT – II)**

**Item No. 214**  
**CP-30/ND/2024**  
**CA-45/2024**

**IN THE MATTER OF:**

**Lakshman Rawat & Ors.**

...

**Applicant/Petitioner**

**Versus**

**Himshri Infra Buildtech Pvt. Ltd. & Ors.**

...

**Respondent**

**Under Section: 59 of Co. Act.**

**Order delivered on 08.04.2024**

**CORAM:**

**SH. ASHOK KUMAR BHARDWAJ**  
**HON'BLE MEMBER (J)**

**SH. SUBRATA KUMAR DASH**  
**HON'BLE MEMBER (T)**

**PRESENT:**

**For the Applicant** : Mr. Atul Yashwant Chitale, Sr. Adv., Smt.  
Sachitra Atul Chitale Adv., Adv. Madhav Atul Chitale,  
Adv. Nirbhay Singh

**For the Respondent** : Dr. Vivek Singh, Adv. Gargi Sharma, Adv. Sunil Tyagi  
For R-2

**Hearing Through: VC and Physical (Hybrid) Mode**

**ORDER**

**CA-45/2024:** Ld. Counsel appearing for the Respondent No. 2 submitted that the copy of the petition has not yet been made available to her. Mr. Nirbhay Singh, Ld. Counsel assisting Mr. Madhav Atul Chitley undertakes to make a copy of the petition available to the Ld. Counsel for the Respondent No. 2 during the course of the day, who will have an opportunity to file reply to the application within 2 weeks. There is no appearance on behalf of the Respondent Nos. 1, 3, 4 & 5.

Mr. Madhav Atul Chitley, Ld. Sr. Counsel submitted that the Respondent No. 3 is wife of Respondent No. 2.

Ld. Counsel for the Respondent No. 2 is directed to take instructions as to whether she is appearing for Respondent No. 3 also or not.

In the meantime, Let the fresh Issue notice be issued to the Respondent No. 1, 3 & 5 returnable on 05.07.2024. The Applicant undertakes to serve notice upon the Respondent through all modes viz. registered post, speed post, courier service and E-mail. Affidavit of service be filed within one week. Reply, if any, may be filed by the Respondent within one week from the date of receipt of the notice. Rejoinder, if any, may be filed before the next date of hearing.

List on 05.07.2024.

Interim order already passed will remain in operation till the next date of hearing.

**Sd/-**  
**(SUBRATA KUMAR DASH)**  
**MEMBER (T)**

**Sd/-**  
**(ASHOK KUMAR BHARDWAJ)**  
**MEMBER (J)**