

**IN THE NATIONAL COMPANY LAW TRIBUNAL,
NEW DELHI COURT III (SPECIAL BENCH)**

Item No.106
New CA-91/2023
In
CP-82/ND/2022

IN THE MATTER OF:

Mr. Manoj Kumar Gupta & Ors.

.....APPLICANT/PETITIONER

Vs.

Raj Sneh Auto India Pvt. Ltd.

.....RESPONDENT

SECTION

U/s 241/242

Order delivered on 10.03.2023

CORAM:

SHRI BACHU VENKAT BALARAM DAS, HON'BLE MEMBER (JUDICIAL)

SHRI RAHUL PRASAD BHATNAGAR, HON'BLE MEMBER (TECHNICAL)

PRESENT:

For the Applicant

: Mr. Rakesh Kumar, Ms. Preeti Kashyab,
Mr. Ankit Sharma, Mr. Rishabh Arora, Advocates.

For the Respondent

: Mr. Mohit Chaudhary, Mr. Kunal Sachdeva,
Mr. Prakhar Mithal, Advocates.

ORDER

New CA-91/2023:-

This application has been filed by the Applicant seeking the following prayers:-

- “a. To grant stay on convening EOGM dated 10.03.2023 in Respondent No. 1 Company;*
- b. To maintain status quo on the Board of Directors of the Respondent No. 1 Company;*
- c. To declare calling of alleged EOGM dated 10.03.2023 vide notice dated 08.02.2023 by the Respondent No. 2 in the Respondent No. 1 Company as a continuous act of oppression and mismanagement on the part of Respondent No. 2;*
- d. To direct the Respondents to not to implement any of the resolutions passed in the alleged EOGM dated 10.03.2023(if already convened);”*

We have heard the submissions made by Mr. Rakesh Kumar, Learned Counsel appearing for the Applicant as well as Mr. Mohit Chaudhary, Learned Counsel appearing for the Respondent. One week time granted to the Respondent for filing reply affidavit. Rejoinder, if any, be filed by the Applicant within one week thereafter.

In the meantime, we direct that in case any resolution is passed in the EOGM meeting held on 10.03.2023 either to remove the Applicant from the Directorship or to appoint any new Director, the same will not be given effect to till the next date of hearing.

List the matter on **17.04.2023**.

-SD-

(RAHUL BHATNAGAR)
MEMBER (TECHNICAL)

-SD-

(BACHU VENKAT BALARAM DAS)
MEMBER (JUDICIAL)