

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

Item No. 212
595/59/ND/2019

IA-424/2023, IA-229/2023, CA-303/2023

IN THE MATTER OF:

Sh. Shiv Raj Singh

... **Applicant/Petitioner**

Versus

M/s. Kempty Konstruction Private

... **Respondent**

Under Section: 59 Co. Act

Order delivered on 12.04.2024

CORAM:

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

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

PRESENT:

For the Applicant : Adv. Saurabh Kalia, Adv. Rakesh Wadhwa, Adv. Easha, Adv. Priyanshi, Adv. Prakhar Dixit, Adv. A. Agarwal along with Shiv Raj Sing in Person

For the Respondent :

HYBRID HEARING (PHYSICAL & VC)

ORDER

IA-424/2023: Mr. Kamal Jain, the Respondent No. 2 in 595/59/ND/2019, who is also appearing as Counsel for Respondent Nos. 1, 3 & 4 submitted that on 20.12.2023 he had concluded his submission qua IA-424/2023 and had not prayed for any adjournment in respect of the said application and his prayer for adjournment was regarding company petition 595/59/2019. He also submitted that he has pressed his CA-303/2023 several time, but his arguments are not taken on record. According to him if qua the IA-424/2023 the petitioner is allowed to file an affidavit, bringing his stand on record, he should also be directed to file reply to CA-303/2023. As Mr. Saurabh Kalia want to comment upon the averments made in IA-424/2023 by filing an affidavit, he may also bring his stand on record also by way of affidavit regarding CA-303/2023.

Mr. Kamal Jain, the Respondent No. 2 who is appearing in person submitted that he will go through his applications again carefully and if a need is felt to do so he will also file written arguments.

IA-229/2023, CA-303/2023: List on 31.05.2024 along with IA-424/2023.

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

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