

IN THE NATIONAL COMPANY LAW TRIBUNAL: NEW DELHI
COURT – IV

ITEM No.402
CA/09/ND/2022, CA/05/ND/2022, CA/465/ND/2021,
CA/460/ND/2021, CA/453/ND/2021, CA/452/ND/2021 IN
CP/173/ND/2020

IN THE MATTER OF:

Nikhil Jain	...	Applicant
Versus		
Rajdhani Nurseries Ltd.	...	Respondent

Order under Section 213.

Order delivered on 14.03.2023

Coram:

Mr. ASHOK KUMAR BHARDWAJ,
HON'BLE MEMBER (JUDICIAL)

DR. BINOD KUMAR SINHA,
HON'BLE MEMBER (TECHNICAL)

PRESENT:

For the Applicant	: Mr. Gautam Singhal, Adv. & Mr. Rajat Chaudhary, Adv.
For R-1, R-12 & R-13	: Mr. Rohit Gandhi, Adv., Mr. Sanidhya Kumar, Adv. & Mr. Hargun Singh Kalra, Adv.

ORDER

At the outset, Ld. Counsel for Respondent Nos.1,12 & 13 submitted that the settlement has been arrived between Petitioner and the Respondents. According to him, in terms of the settlement, the Petitioner has been paid Rs.90.00 Lacs and in turn he has transferred his shares to Respondent No.15.

Per contra, Ld. Counsel for the Petitioner submitted that transfer of share has not yet taken place and the cheques issued in his favour could not be honoured and are bounced. In these circumstances, we considered it appropriate to take up the CP/173/ND/2020 for hearing on merits. Nevertheless, the Ld. Counsel for Respondent Nos.1,12 & 13 submitted that they have not prepared their submissions to be put forth in the main petition. Having an impression that only the application would be taken up for hearing today as the matter has already been settled. Having submitted so, the Ld. Counsel prayed for short adjournment. In the wake, let all CAs i.e. CA/452/ND/2021, CA/453/ND/2021, CA/460/ND/2021, CA/465/ND/2021, CA/05/ND/2022 & CA/09/ND/2022 as also, the CP/173/ND/2020 be fixed for hearing on **25.04.2023**.

Sd/-

DR. BINOD KUMAR SINHA,
MEMBER (TECHNICAL)

Sd/-

ASHOK KUMAR BHARDWAJ,
MEMBER (JUDICIAL)