

IN THE NATIONAL COMPANY LAW TRIBUNAL: NEW DELHI
PRINCIPAL BENCH

ITEM No. 110
TA (Co. Act.)- 51(PB)/2023

IN THE MATTER OF:

Jayaben Shantilal Doshi
Vs
Ronak Dyeing Limited

.... Petitioner

....Respondent

Order under Rule 16(d) NCLT , 2016

Order delivered on 16.02.2024

CORAM:

JUSTICE RAMALINGAM SUDHAKAR
HON'BLE PRESIDENT

(HEARING THROUGH PHYSICAL MODE & VC)

PRESENT:

For the Petitioner : Adv. Raunak Satpathy, Adv. Ujjawala
Chaturvedi, Adv. Alok Kumar
For the Respondent : Aniesh Jadhav, Adv for R-4
Adv. Sanket Singh a/w Adv. Iyanah Parbhoo
for R-6
Mr. Shyam Kapadia a/w Ms. Neha Naik and
Ms. S. Laskari

ORDER

The prayer made in this transfer application reads as follows: -

- 1) Kindly transfer all three matters to one bench i.e., Court-I, Mumbai Bench.
- 2) Any other relief that your Honor may find just in the interest of justice.

CP (IB)-200(MB)/2023 is pending before Bench-I, NCLT, Mumbai, CP (IB)-201(MB)/2023 is pending before Bench-II, NCLT, Mumbai and CP (IB)-199(MB)/2023 is pending before Bench-V, NCLT Mumbai. The Petitioners in all these three cases are the present Applicants. However, Respondent is different. Respondent Ronak Dyeing Limited in CP (IB)-200(MB)/2023 is a public limited company, Shreehari Fabrics in CP (IB)-201(MB)/2023 is a private limited company and Shivparas Yarns in CP (IB)-199(MB)/2023 is also a private limited company.

It is pointed out by the Ld. Counsel for the Petitioner and the allegation is that one Gangashankar Sharma, Yogesh Gangashankar Sharma and Ors are in the management and affairs of the companies in question and besides various reliefs sought under the provisions of the Companies Act, the allegation is of oppression and mis-management which is totally denied by the Respondents.

These three cases filed by common Petitioner are heard by the different benches on different dates. For the convenience of the parties, it is pleaded that these matters should be heard by one bench so that the issue is resolved by a bench considering the commonality in the management of the Respondent company by individuals against whom specific allegations are made for oppression and mis-management and totally denied by the Respondents.

Keeping that in mind and for better adjudication of these matters, I am inclined to transfer CP (IB)-201(MB)/2023 pending before Bench-II, NCLT, Mumbai and CP (IB)-199(MB)/2023 pending before Bench-V, NCLT Mumbai to Bench-I, NCLT, Mumbai to be heard along with CP (IB)-200(MB)/2023.

However, it is made clear that these three cases will be taken up for consideration and hearing separately and independent of each other so that no prejudice is caused to the Respondents at the time of hearing.

**-Sd/-
(RAMALINGAM SUDHAKAR)
PRESIDENT**

16.02.2024
Lalit