

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

Item No. 220
117(ND)/2016

IN THE MATTER OF:

Mrs. Harjeet Kaur & Ors.

...

Appellant/Petitioner

Versus

M/s. Freshtech Pvt. Ltd.& Anr.

...

Respondent

Under Section: 241/242, 244

Order delivered on 19.04.2024

CORAM:

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

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

PRESENT:

For the Petitioner : Adv. Kartikay Dutta

For the Respondent :

HYBRID HEARING (PHYSICAL & VC)

ORDER

The salient grievance espoused in the captioned petition is that the Respondent No. 2 has not paid the consideration for the shares, which he purchased from the Petitioner. Ex-facie, the non-payment of consideration for the shares by the purchaser, particularly when in terms of the provisions of companies act, the share is movable asset of the holder, we are of the view that the present petition filed under Section 241 of the companies act is not maintainable. Nevertheless, Ld. Counsel for the Petitioner submitted that he would appear physically and satisfy this Tribunal regarding the maintainability of the petition. At his request, hearing is deferred to 19.07.2024.

Sd/-

(SUBRATA KUMAR DASH)
MEMBER (T)

Sd/-

(ASHOK KUMAR BHARDWAJ)
MEMBER (J)