

**NATIONAL COMPANY LAW TRIBUNAL
KOLKATA BENCH
KOLKATA**

CP/42(KB)2016
IA(COMPANIES.ACT)/32(KB)2024,
IA(COMPANIES.ACT)/61(KB)2024

**CORAM: 1. HON'BLE MEMBER(J), SMT. BIDISHA BANERJEE
2. HON'BLE MEMBER(T), SHRI D. ARVIND**

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING ON 23RD APRIL 2024

IN THE MATTER OF	YOGENDRA PAL JAIN & ANR VS SOUTH EASTERN CARRIERS PVT LTD.
UNDER SECTION	SEC. 241(1) SEC. 242(4)

Appearance (via video conferencing/physically)

Mr. NPS Chawla, Adv.] For the Petitioner Nos. 1 & 2
Mr. Vibhor Kapur, Adv.]
Mr. Rishav Banerjee, Adv.]
Ms. V. Mathai, Adv.]
Ms. Purna Saha, Adv.]

Mr. Patita Paban Bishwal, Adv.] For the Respondent Nos. 3 & 4
Ms. Suranjana Chatterjee, Adv.]

Mr. Rachit Lakhmani, Adv.] For the Petitioner Nos. 5 & 6 and
Mr. Piyush Kumar, Adv.] Respondent Nos. 5 & 6

Mr. Siddhartha Jain] Respondent No. 9

ORDER

1. Ld. Counsel appearing on behalf of the parties present.
2. The Notice as contained in Annexure – C collectively which starts from page no. 50 is not in conformity with the directions of this Tribunal as in the Order dated 14.03.2024 as well as in the Order dated 10.04.2024, particularly para no. 2 thereof. No option should be left to “consider” whether or not to regularize.
3. In view of the fact that the parties to the meeting may be tempted to take a contrary view, we clarify that a fresh notice be issued, to regularise the appointment of petitioner no. 1 in terms of our Order dated 14.03.2024 with no options to be left to take a contrary view.

4. In the event the Notice to be issued afresh seems to be defective, the parties would be at liberty to point out the same by way of a supplementary affidavit without filing a separate application for that.
5. The parties would be at liberty to communicate the gist of the Order to all concerned.
6. List the matter for further consideration on **22.05.2024**.

D. Arvind
Member (Technical)

Bidisha Banerjee
Member (Judicial)