

DIVISION BENCH  
COURT - I

O-224

**NATIONAL COMPANY LAW TRIBUNAL  
KOLKATA BENCH  
KOLKATA**

CP/45(KB)2024

**CORAM: 1. HON'BLE MEMBER(J), SHRI ROHIT KAPOOR  
2. HON'BLE MEMBER(T), SHRI BALRAJ JOSHI**

**ATTENDANCE-CUM-ORDER SHEET OF THE HEARING ON 03<sup>RD</sup> APRIL 2024**

IN THE MATTER OF	MOHAMMAD ASLAM SOLANKI VS ALMY NIRMAAN PRIVATE LIMITED
UNDER SECTION	SEC. 241(1) SEC. 242(4) RULE 11 OF NCLT

**Appearance VC and Physical (Hybrid) Mode**

Mr. Joy Saha, Sr. Adv. ] For the Petitioner  
Mr. S. E. Huda, Adv.  
Ms. Tanvi Luhariwala, Adv.  
Ms. Madhuj Barman, Adv.  
Mr. Sk. Aptabuddin, Adv.

**ORDER**

1. Ld. Senior Counsel/Counsel for the petitioner present.
2. It is contended that the petitioner had collectively advanced an amount of Rs.1,00,00,000/- (Rupees One Crore) to the Respondent-Company in the form of unsecured loan. The details of which are mentioned in Paragraph-10, at Page No.29 of this petition. However, the amount remains idle and not utilised for any property development and the same has been kept in the form of Fixed Deposit with the ICCI Bank. The details of which are mentioned in Paragraph-12 at Page No.-30 of this petition.
3. It is alleged that Respondent-Company has not properly used the funds of the Company. It is also alleged that the Respondent Nos.2 to 5 are acting in collusion with and connivance with each other and against the interest of the Company and its Stakeholders.

4. It is also averred that No AGM was held for the Financial Year 2022 to 2023 and the Balance-sheet of the said Financial Year has not been filed with the Registrar of the Company which is for the reasons solely attributable to the Respondent Nos.2 and 5. The Respondent No.2 has always been at the helm of the affairs of the Company.
5. This petition is accompanied by an affidavit which is at Page No.51.
6. Registry is directed to issue notice to the Respondents by way of speed post and e-mail and place the tracking information on record.
7. Post this matter on **10.05.2024**. In the meantime subject to objections, we direct to maintenance of status quo in terms of Prayer (n) at Page No.45 of this petition.

**Balraj Joshi**  
**Member (Technical)**

**Rohit Kapoor**  
**Member (Judicial)**