

**IN THE NATIONAL COMPANY LAW TRIBUNAL**  
**AHMEDABAD**  
**DIVISION BENCH**  
**COURT - I**

ITEM No.226  
CP/5(AHM)2022

**Proceedings under Section 241(1) & 242(4) of Co. Act, 2013**

**IN THE MATTER OF:**

Siddharth Bhandari & Ors

.....Applicant

V/s

Electrotherm (India) Ltd & Ors

.....Respondent

**Order delivered on 18/04/2024**

**Coram:**

**Mr.Shammi Khan, Hon'ble Member(J)**

**Mr. Sameer Kakar, Hon'ble Member(T)**

**PRESENT:**

For the Applicant

:Mr.Pawan Godiawala, Adv

For the Respondent

:Mr. Ravi Pahwa, Adv. For R-1

Mr.Jaimin Dave a.w Ms.Hirwa Dave For R-2 and R-3

**ORDER**

“On 21.03.2022 following order was passed by this Tribunal”

Ld. Counsels appearing for the R-1 and submits that he has already filed reply for the maintainability of the present appeal way back 05.04.2022 and specifically stated in Para VI which is reproduced here under:-.

*I say that the applicants have produced consent letters of 205 equity shareholders, who according to the applicants have consented to file the present petition u/s. 241-242 of the Act. I say that earlier also, in CP 38 of 2019, the present applicants had filed affidavit / power of attorney of certain members, who in fact, were not the members of the respondent company. The Managing Director of respondent company filed IA 12 of 2021 alleging perjury against the applicants. I say that thus, looking to the conduct of present applicants, the consent letters produced by the applicants needs to be verified by this Hon'ble Tribunal. I thus pray this Hon'ble Tribunal to direct the applicants to produce consent affidavits of the said shareholder(s) to verify the genuineness and authenticity of the said shareholders. I beg to annex a copy of letter of LinkIntime India Private 2 3 ;% Limited, the Registrar and Transfer Agent of Respondent Company who had certified that in the list provided by the applicant in the proceedings of CP 38 of 2019, 77 members were not actually the members of respondent company, at*

*Annexure-RL. I say that this letter is being filed only to show the conduct of present applicants.*

Neither any proof has been filed nor has any rejoinder been filed.

Ld. Counsel appearing for the applicant seeks and granted more time to file rejoinder within one week to file rejoinder explaining the position specifically the Para 6 in the reply of R-1.

Re-list on 20.06.2024

**-sd-**

**SAMEER KAKAR  
MEMBER (TECHNICAL)**

**-sd-**

**SHAMMI KHAN  
MEMBER (JUDICIAL)**