

NATIONAL COMPANY LAW TRIBUNAL
MUMBAI BENCH, COURT-II

23. CA 58/2021 CA 114/2021 IA (COMPANIES. ACT)/ 6/2024 in
CP 530/2017

CORAM:

SHRI ANIL RAJ CHELLAN
HON'BLE MEMBER (T)

SMT. LAKSHMI GURUNG
HON'BLE MEMBER (J)

**ORDER SHEET OF THE HEARING OF MUMBAI BENCH OF THE
NATIONAL COMPANY LAW TRIBUNAL ON 22.04.2024**

NAME OF THE PARTIES:- **Manik Engineering Pvt. Ltd. & Ors. Vs.**
 Ashok Chellaram Manik & Ors.
 IN THE MATTER OF
 Ashok Chellaram Manik & Anr.
 V/s
 Manik Engineering Pvt. Ltd. & Ors.

Section: Rule 11 of NCLT 242(4) of Companies Act, 2013

ORDER

Ld. Counsel, Gauraj Shah a/w Adv. Sahil Harjani and Adv. Dhruv Dandekar appeared for the Petitioner no. 1 through VC, Ld. Counsel, S. G. Gokhle appeared for the Petitioner no. 2 and Ld. Counsel, Madhav Kanoria, Surabhi Khattar, Anush Mathkar and Vihit Shah appeared for the Respondent no. 3. List all other Applications on **01.07.2024**.

IA (Companies Act.) 6 of 2024:- This Application is filed by the Company M/s Manik Engineering Pvt. Ltd. seeking deletion of the names of the Petitioner no. 1 and Respondent no. 3 from the array of the parties in the captioned Company Petition, relying on the letter dated 14.07.2023 issued by the Petitioner no. 1 addressed to Mr. Shaikh Abdul Jabbar stating that since he has transferred all his

shares to Mr. Kishin Manik he does not wish to continue the matter in the Court. Ld. Counsel for the Petitioner no. 2 submits that reply has been filed on behalf of the Petitioner no. 2 objecting to the deletion of the name of the Petitioner no. 1 from the array of the party. He further submits that he was representing Petitioner no. 1 earlier but vide order dated 11.03.2023 he was discharged from representing Petitioner no. 1.

As far as Respondent no. 3 is concerned, death certificate of Respondent no. 3 is annexed as Exhibit-E to the Application. However, Ld. Counsel for the Petitioner no. 2 submits that the name of the Respondent no. 3 cannot be deleted because there is allegation of siphoning off funds of the company and the legal heirs are to be impleaded. In view of the allegations of siphoning of funds of the Company list this matter for further consideration on **01.07.2024**.

Sd/-

ANIL RAJ CHELLAN
Member (Technical)

ANKIT

Sd/-

LAKSHMI GURUNG
Member (Judicial)