

# **NATIONAL COMPANY LAW TRIBUNAL KOCHI BENCH**

**CORAM:**       **SHRI SHYAM BABU GAUTAM**  
                  **HON'BLE MEMBER (TECHNICAL)**

**TMT. T.KRISHNA VALLI**  
**HON'BLE MEMBER (JUDICIAL)**

PETITION No./IA No.	IA(C/ACT)/64/KOB/2024 in CP/02/KOB/2020
SECTION	RULE 11 NCLT.
NAME OF PARTIES	T P ANILKUMAR & 3 OTHERS V/S INDUS MOTORS COMPANY PVT LTD & 7 OTHERS.
PETITIONERS ADVOCATE/ PROFESSIONAL	P. BINOD, AKHILA
RESPONDENTS ADVOCATE/ PROFESSIONAL	BIJU VARGHESE ABRAHAM, ADVOCATE(S) BHARTI'S LEGAL.

**10 April 2024**

## **O R D E R**

### **IA(C/ACT)/64/KOB/2024 in CP/02/KOB/2020**

Learned Counsel, Mr. Manu Nair appears physically on behalf of the Applicants. Respondents are represented by Learned Counsel, Mr. Santhosh Mathew along with Learned Counsel Mr. Alishan Naqvee, Learned Counsel, Mr. Akhil Suresh and Learned Counsel, Ms. Rupal Bhatia.

This is an IA bearing No. 64/KOB/2024 filed by the Applicants, Viz., Mr. T P Anilkumar & 3 others (Petitioners in main CP/02/KOB/2020) under Rule 11 of NCLT Rules, 2016 seeking direction to the forensic auditor to forthwith share all documents and records already received or obtained by it with all members of the audit committee and direction to stay the next stage of audit process/preparation of final report till all the documents and records received or obtained by the forensic auditor from the respondents are shared with all members of the audit committee with a time window to review the same with affidavit.

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Learned Auditor is physically present in Court and states that the list of documents he acquired from the Company has been shared with the Petitioner. The Auditor further brought the attention of this bench to the letter dated 03.04.2024 written to the Registrar, NCLT Kochi Bench, whereby he raised the grievance that only a part of the fee has been received from the Petitioners, however, the entire set of fee has been received from the Respondents. Learned Counsel appearing for the Petitioners submits that fee of the Auditor shall be paid with immediate effect.

The Auditor also invited our attention to the interim report submitted before this bench. The Counsel appearing for the Petitioner, during the course of hearing requested to part with the copy of the interim report. This said interim report is for the assistance of this Tribunal so as to know about the alleged oppression and mismanagement. Hence, the Auditor is directed to submit the Final Report on or before 17.04.2024.

On submission of the final report, the Copy of the same shall be shared with the Petitioners and Respondents.

List this matter for further consideration on **17.04.2024**.

**Sd /-**

**SHYAM BABU GAUTAM  
MEMBER (TECHNICAL)**

**Sd /-**

**T.KRISHNA VALLI  
MEMBER (JUDICIAL)**