

S.No.9

**IN THE NATIONAL COMPANY LAW TRIBUNAL  
HYDERABAD BENCH – 1  
VC AND PHYSICAL (HYBRID) MODE  
ATTENDANCE CUM ORDER SHEET OF THE HEARING HELD ON  
09-05-2024 AT 10:30 AM**

**CP No. 69/241/HDB/2023**

**AND**

**IA (CA) 101, 63, 70, 71, 96, 107/2024 & New IA(CA) 133/2024 in**

**CP No. 69/241/HDB/2023**

u/s. 241 of Companies Act, 2013

**IN THE MATTER OF:**

Dr. Mudumala Issac Abhilash

**...Petitioner**

**AND**

M/s.Thrithva Health Care Private Limited

**...Respondent**

**C O R A M:-**

**DR. VENKATA RAMAKRISHNA BADARINATH NANDULA, HON'BLE MEMBER (JUDICIAL)  
SH. CHARAN SINGH, HON'BLE MEMBER (TECHNICAL)**

**ORDER**

**IA (CA) 101/2024**

As the hearing and disposal of this application cannot be done before 27/05/2024 due to intervening bench vacation, and as the parties are at logger head with each other on issues such as re-entry of the petitioner, his wife, some other doctors and also the staff, which plea is opposed by the respondents stating that these persons have resigned long back, and also regarding the purchases to be made by the hospital for its day to day requirements, in order to ensure that the affairs of the 1<sup>st</sup> respondent do not suffer on account of these

disputes, pending hearing and disposal of this application and **strictly without prejudice to the rights and contentions of both sides**, we make the following **interim arrangement**.

1. We, hereby direct the respondents 1&2, that the petitioner, his wife Dr. Parimala, and the persons whose names are mentioned in page 13 of this application, forthwith be allowed to carry out their job responsibilities/functions in the capacity in which they were appointed and be paid the remuneration which they last received as confirmed by the 2<sup>nd</sup> respondent.
2. All the other consultant Doctors who are on the rolls of the 1<sup>st</sup> respondent shall also be similarly be paid.
3. In the event, it is ultimately found that the hike in salaries of the Consultant Doctors/Staff etc, is not done in accordance with the procedure laid down, or that the persons above named have found to have resigned and left, all such persons are liable to refund the amount received by them beyond their entitlement to the account of 1<sup>st</sup> Respondent Company and an undertaking to that effect by each of the above persons shall be filed before they re-join the Hospital.
4. Both sides shall carryout their responsibilities/functions harmoniously and shall not discuss any subject which is the subject matter of the

Company petition. Any person if found to have breached our direction will not be allowed to continue in the 1<sup>st</sup> respondent company.

5. A three-member Committee comprising of one member each from the Petitioner and 2<sup>nd</sup> respondent side and one nominee by this Tribunal, who shall be the Chairman, shall deal with all the purchases that the Hospital require for all its day to day operations, and in case of any differences in this regard the decision of the Chairman shall be final.
6. The Tribunal hereby appoints Mr. G.Bhupesh , Advocate, (Ph.no 99666 22805, email-id bhupeshimlk@gmail.com) as the Chairman, who shall be paid a fixed remuneration of Rs.1,00,000 (Rupees One lakh per month) and the expenses as per actuals.
7. The Petitioner and the 2<sup>nd</sup> Respondent are at liberty to furnish the list of existing/other vendors to the Chairman.

Let the IA be listed on 27.05.2024 for hearing.

**IA (CA) 63/2024**

For hearing, call on 27.05.2024.

**IA (CA) 70/2024**

For hearing, call on 27.05.2024.

**IA (CA) 71/2024**

For hearing, call on 27.05.2024.

**IA (CA) 96/2024**

For hearing, call on 27.05.2024.

**IA (CA) 107/2024**

For hearing, call on 27.05.2024.

**New IA(CA) 133/2024**

Learned Counsel Y Suryanarayana along with the counsel on record Mr Manoj Kumar Koyalkar along with CS Ms Kusbhu Vijayvargi, for applicant present physically.

Learned Senior Counsel Mr L Venkateswar Rao for respondent present through Video Conference.

Learned Counsel Mr Ritesh, for respondent present physically.

Counter filed. At request for filing rejoinder one-week time granted.

At this stage learned counsel for the company petitioner prayed for passing interim directions in respect of the doctors and staff who according him were prevented from coming to the hospital. Leaned counsel for the respondent contended that the persons whose re-entry is now sought have resigned resignation long back, hence the said relief cannot be granted. However, both sides agreed that the matter can be referred to mediation at the behest to be named by this Tribunal.

Hence, the matter passed over for passing interim order;

**for orders on 27.05.2024.**

**SD/-**

**MEMBER (T)**

**SD/-**

**MEMBER (J)**