

**IN THE NATIONAL COMPANY LAW APPELLATE TRIBUNAL**

**NEW DELHI**

**Company Appeal (AT) No. 72 of 2017**

**Bharat Kumar Agarwal**

**.... Appellant**

**Vs.**

**Shri Bankhandi Nath Developers Pvt.  
Limited & Ors.**

**.... Respondents**

**Present: For Appellants: - Mr. Arun Kathpalia, Sr. Advocate with Mr. Mansumyer Singh and Mr. Samaksh Goyal, Advocates**

**For Respondents: -**

**03.04.2017-** Learned counsel appearing on behalf of appellant submits that the Tribunal having come to a definite conclusion that the appellant/petition has 50% shares and there is 'Oppression and Mismanagement' by the respondents, the Tribunal had jurisdiction to grant appropriate relief under Section 402 of the Companies Act 1956/Section 242(2) of the Companies Act 2013 by setting aside the agreement of sale and sale deed actually affected by 4<sup>th</sup> respondent at the behest of 2<sup>nd</sup> and 3<sup>rd</sup> respondents.

Let notice be issued on respondents by speed post. Requisite with process fee, if not filed, be filed by day after tomorrow. If the appellant provides e-mail address of the respondents, let notice also be issued through e-mail.

Post the matter on 18<sup>th</sup> April 2017. Until further orders, the parties will maintain status quo with regard to immovable properties of the company, which were subject matter before the Tribunal.

(Justice S.J. Mukhopadhaya)  
Chairperson

(Mr. Balvinder Singh)  
Member(Technical)

sm