

**NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI**

**Company Appeals (AT) No.92 of 2017**

**IN THE MATTER OF:**

**Surender Kumar Virdhi**

**...Appellant**

**Vs**

**Beavers Leathers Pvt Ltd & Ors.**

**...Respondents**

**Present: Mr. Rakesh Kumar with Mr. P.K. Sachdeva, Advocates for the Appellant.**

**Mr. Rajinder Mahajan, Advocate for Respondent No.1,2 and 3.**

**ORDER**

11.04.2017- Issue Notice to respondents. Mr. Rajinder Mahajan, Advocate accepts notice on 1st 2nd and 3<sup>rd</sup> Respondent. No further notice need be issued to them. Let notice be issued to Respondent by speed post. 5<sup>th</sup> and Respondent being proforma respondents, no notice be issued on them.

Requisites with process fee, if not filed, be filed by tomorrow.

We have heard the Learned Counsel for the parties on the petition for condonation of delay in filing the appeal. Being satisfied with the grounds, delay of 8 days in filing the appeal is hereby condoned.

In the present case we have noticed that the Tribunal by the impugned order dated 19<sup>th</sup> January, 2017 decided the Company Petition No.103(NID)/2015 and in favour of the appellant by accepting "oppression and mismanagement", but instead of reinstating the appellant as Director and passing any stringent order against the Respondents have asked the petitioner to exit from the company. In this background, Therefore, the respondents are allowed time to file reply and state as to why the relief portion of the impugned judgement dated 19.01.2017 be not modified in view of the findings of "oppression and mismanagement" as recorded in earlier paragraphs of the impugned judgement.

Post the matter on <sup>27<sup>th</sup></sup> April, 2017.

(Justice S.J. Mukhopadhaya)  
Chairperson

(Mr. Balvinder Singh)  
Member (Technical)