

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

**Company Appeal (AT) No. 257 of 2017**  
**Company Appeal (AT) No. 258 of 2017**

**IN THE MATTER OF:**

**S. Ahmed Meeran**

**...Appellant**

**Versus**

**Ronny George & Ors.**

**...Respondents**

**Present:**

**For Appellant :**

**Shri Rana Mukherjee, Senior Advocate assisted by  
Shri Gautam Shivshankar, Advocate**

**O R D E R**

**09.08.2017** According to appellant, the respondents/petitioners who preferred the petition under Sections 241 and 242 of the Companies Act, 2013, (hereinafter referred to as the 'Act, 2013') being not qualified in terms of Section 244 of the Act, 2013, filed application for waiver under the provisions of Section 244 of the Act, 2013. The Tribunal without notice to the appellant/respondent, without discussing the reasons, granted waiver to file petition and passed the interim order(s) both dated 14<sup>th</sup> July, 2017.

Apart from the allegations, the impugned order has been passed in violation of the rules of natural justice, *prima facie*, we find that no ground has been recorded by the Tribunal, Chennai Bench in granting waiver under the proviso to Section 244 of the Act, 2013. Further, we find that interim order(s) of restraintment has been passed.

Let notice be issued to the respondents of both appeals by Speed Post(s). Requisite with process fee, if not filed, be filed by 11<sup>th</sup> August, 2017. If the appellant provides e-mail address of the respondents, then let notice be also issued through e-mail.

Until further orders, operation of both the orders dated 14<sup>th</sup> July, 2017 passed in CA/121/2017 and CA/122/2017 shall remain stayed.

Post both the appeals on 31<sup>st</sup> August, 2017 for admission. The appeals may be disposed of at the stage of admission.

[Justice S.J. Mukhopadhaya]  
Chairperson

[ Balvinder Singh ]  
Member (Technical)