

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

Company Appeal (AT) No. 163 of 2018

IN THE MATTER OF:

K. Trinadha Reddy & Ors.

...Appellants

Versus

TM-Food Processing Ltd. & Ors.

...Respondents

Present:

For Appellant : Mohd. Wasay Khan, Advocate

For 1st to 9th

Respondent: Mr. Goutham Shivshankar, Advocate

For 19th to 22nd

Respondent : Mr. Anandh K., Advocate

O R D E R

04.07.2018 The appeal was filed after delay of two days but without any application for condonation of delay. Subsequently, application for condonation of delay was filed. Having heard the learned counsel for the appellants and the learned counsel for 1st to 9th Respondents and being satisfied with the grounds shown the delay of two days' in preferring the appeal is condoned. I.A. No. 731 of 2018 is disposed of.

From the impugned order, we find that the Tribunal while exercising its power under Sections 397, 398 etc. read with Sections 58 and 59 of the Companies Act, 2013 set aside the appointment of number of respondents including the appellants (4th respondent and others) as Directors of the 1st Respondent Company.

Let notice be issued on the respondents by Speed Post. Mr. Goutham Shivshankar, Advocate appeared on behalf of 1st to 9th Respondents and Mr. Anandh K., Advocate appeared on behalf of 19th to 22nd Respondents accepts notice on behalf of their respective respondents. They are allowed to file reply-affidavit along with Vakalatnama within ten days. Rejoinder, if any, be filed by the appellants within a week thereof.

In the meantime, let notice be issued on rest of the respondents by Speed Post. Requisites alongwith process fee, if not filed, be filed by 6th July, 2018.

Post the case for 'admission' on 25th July, 2018 before the appropriate Bench.

[Justice S.J. Mukhopadhaya]
Chairperson

[Justice Bansi Lal Bhat]
Member (Judicial)

/ns/sk/