

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW
DELHI

Company Appeals (AT) No.188 of 2017

IN THE MATTER OF:

D.R. Sharma

...Appellant

Vs

Roshan Lal Duneja & Ors

...Respondent

Present: Mr. Nakul Mohta, Advocate for the appellant.

ORDER

02.06.2017- Learned Counsel appearing on behalf of the appellant submits that the petition was filed under Section 59 of the Companies Act (corresponding to Section 111A of the Companies Act, 1956) and, therefore, sub-section (4) of Section 58 of the Companies Act, 2013 will not be applicable.

Even if the aforesaid submissions of the learned counsel for the appellant is accepted the appellant will make it clear as to why the appellant filed application after long delay of 11 years.

We intend to hear the appeal on question of delay before issuing notice to the respondent.

Post the matter on 14th July, 2017.

In the meantime, the appellant may rectify the error in Page No. B-5 and also similar errors as crept up in the other pages.

(Justice S.J. Mukhopadhaya)
Chairperson

(Mr. Balvinder Singh)
Member (Technical)