

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

Company Appeal (AT) No. 77 of 2018

IN THE MATTER OF:

R. Swarup Reddy

...Appellant

Versus

M.N. Pratap Reddy & Ors.

...Respondents

Present:

For Appellant : Mr. S. Santanam Swaminadhan and Ms. Nishtha Khurana, Advocates.

O R D E R

15.03.2018— Learned counsel for the Appellant submits that M/s. Brahmayya & Co. raised bill for Rs.31,44,375/- plus service tax amount of Rs. 4,71,657/- aggregating to Rs. 36,16,032/-. The National Company Law Tribunal (hereinafter referred to as "Tribunal") earlier directed to pay 50% of the said amount which was challenged by the Appellant before this Appellate Tribunal wherein this Appellate Tribunal directed the Company to pay Rs. 5,00,000/- at the first instance and also directed the Tribunal to decide the quantum of fee after considering the representations.

The grievance of the Appellant is that on remand the Tribunal without considering the representation in its proper aspects again directed the Company to pay total sum of Rs. 36,16,032/- minus Rs. 5,00,000/- already paid.

Contd/-.....

Let notice be issued on Respondents including the Auditor M/s. Brahmayya & Co. whose details has been shown in the impleading application at Page No. 609 by speed post and to state as to why M/s. Brahmayya & Co. be not impleaded as party respondent, as this Appellate Tribunal may interfere with the impugned order. Requisite along with process fee, if not filed, be filed by 17th March, 2018. If the Appellant provides the e-mail address of Respondents, let notice be also issued through e-mail.

Post the case for admission on 10th April, 2018 before appropriate Bench.

In the meantime, the operation of the impugned order dated 19th January, 2018 shall remain stayed subject to payment of additional amount of Rs. 5,00,000/-.

[Justice S.J. Mukhopadhaya]
Chairperson

[Justice Bansi Lal Bhat]
Member (Judicial)

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