

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

Company Appeal (AT) No. 386 of 2017

IN THE MATTER OF :

Pravinbhai Manibhai Patel

... Appellant

Versus

Kanakbhai Ratilal Patel & Ors.

... Respondents

Present:

**For Appellant: - Shri Tushar P. Hemant, Shri Vaibhav K. Parikh and
Shri Pradeep Tiwari, Advocates**

O R D E R

27.11.2017 — Learned counsel for the appellant submits that other members are not respondents-petitioner to the Company Petition filed under Section 397 and 398 of the Companies Act, 1956 (now under Section 241 of the Companies Act, 2013). The application had been sent to the respondent-petitioner was not maintainable in absence of other members being party or consent on record as on the date of filing of the petition. However, we find that there is a delay of few days in preferring this appeal. Learned counsel for the appellant prays for and is allowed to file application for condonation of delay by 4th December, 2017.

Post the matter on 5th December, 2017 as fresh case.

**(Justice S.J. Mukhopadhaya)
Chairperson**

**(Justice Bansi Lal Bhat)
Member(Judicial)**