

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

Company Appeal (AT) No. 361 of 2017

IN THE MATTER OF :

Jaynarayan Pusaram Karwa & Ors.

... Appellants

Versus

Mukund Subhash Karwa & Ors.

... Respondents

**Present: For Appellants : Ms. Sudipto Sarkar, Senior Advocate with
Shri Manu Aggarwal, Advocate**

For Respondent No. 2 : Dr. Anup Karwa, In person.

O R D E R

25.10.2017 The question arises for consideration in this appeal is whether the Tribunal has jurisdictional power to pass any interim order in the interest of group of parties of a company under Sections 397 and 398 of the Companies Act, 1956 (now Section 241 of the Companies Act, 2013), without expressing any opinion with regard to the Company and for regulating the conduct of the company's affairs as provided under sub-Section (4) of Section 242 of the Companies Act, 2013.

Dr. Anup Karwa, 2nd Respondent appears in person. No notice need be issued on him. He is allowed ten days' time to file reply. Rejoinder, if any, may be filed within a week thereof.

Let notice be issued on the rest of the respondents by Speed Post. Requisites along with process fees, if not filed, be filed by tomorrow i.e.

26th October, 2017. If the appellants provide e-mail address of the said respondents, let notice be also issued through e-mail.

Post the matter on 16th November, 2017.

Until further orders, the order dated 12th September, 2017 passed in T.P. No. 62/397-398/NCLT/AHM/2016 shall remain stayed.

[Justice S.J. Mukhopadhaya]
Chairperson

[Justice Bansi Lal Bhat]
Member (Judicial)

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