

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

COMPANY APPEAL (AT) NO.74 OF 2018

IN THE MATTER OF:

Mr. Pravin Jain & Ors

Appellant

Vs

Diastar Pvt Ltd & Ors.

Respondents

Present: **For Appellant:-**Mr.Santosh Chauriha and Mr. M.A. Khan,
Advocates.

For Respondents: - Mr. Siddharth Gautam, Advocate.

O R D E R

03.04.2018 - 1) Heard counsel for both sides. Perused MA No.56/2018 which was filed before the Registrar and order of Registrar dated 12th March, 2018. The certified true copy of impugned order issued free of cost, from records, appears dated 28th December, 2017. The appeal was tendered on 9th February, 2018. There appears to be some delay in re-filing. In the interest of justice, delay, if any, is condoned.

2) Counsel for Respondents No.1 to 3 seeks time to file affidavit in reply. Brief affidavit in reply may be filed by 17th April, 2018. Rejoinder, if any, may be filed by 27th April, 2018.

3) The appeal shall be confined only to the pleadings before the Tribunal whose order is challenged. However, the appellant may with due notice to the respondents and with leave of this Bench urge additional grounds at the time of hearing. If the appellants have already raised any additional grounds at the time of filing this appeal, the appellant shall disclose the same by next date, in writing.

4) The parties may produce copies of petition/documents which are part of the record in Tribunal below, if and to the extent necessary to answer the grounds urged in the appeal. The appellant shall produce (unless already produced) by next date, copies of all documents referred to and relied on by the Tribunal below in the impugned order.

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5) If the parties have produced or want to produce any document which was not part of the records in the Tribunal below, the parties shall make a separate application stating the reasons for not producing it in the Tribunal below, and the necessity for its production in this appeal and seek leave of this Bench for producing and considering such additional documents.

6) After the pleadings are complete, the parties will produce "Bullet points of arguments to be made" not more than 2-3 pages making reference to page numbers in paper book. The Appellants should in Bullet Points refer to page numbers of documents referred to and relied on by the Tribunal below in the impugned order. The bullet points be produced before the next date of hearing.

List the appeal for hearing on **2nd May, 2018**.

(Justice A.I.S. Cheema)
Member(Judicial)

Bm/nn