

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

COMPANY APPEAL(AT) NO.15 OF 2018

IN THE MATTER OF:

Starlite Spintech Ltd & Ors

Appellant

Vs

Dijaya-Malind Properties (India) Pvt Ltd & Ors

Respondents

Present:

For Appellant:-Mr Kuljeet Rawal and Mr Saurabh Malhotra, Advocates.

For Respondents: - Mr. Lzafeer Ahmed, Advocate for Respondent Nos 1 to 5. Mr. Koshy John, Advocate for Respondent No.7.
 Mr. Abhay Pratap and Mr. Siddharth Mehta, Advocate for Respondent No.9.

O R D E R

16.04.2018 - Counsel for the appellant seeks further time to serve Respondent Nos 6 and 8. It is made clear that the appellant must take effective steps to carry out the service. In default, suitable orders will have to be passed by us.

2. Counsel for other Respondents say that they will be filing affidavit-in-reply today. Appellant may file rejoinder, if any, by 1st May, 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 file, if not already filed only 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 documents which are referred to and relied on by the Tribunal below in the impugned order.

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 first file only an

application giving description of the document and 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 document. Only when permitted by this Bench, copy of the document concerned will be received and only when leave is granted the document will be considered in the matter.

6. Await service on Respondent Nos 6 and 8.

7. List the appeal on 3rd May, 2018.

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

(Mr. Balvinder Singh)
Member (Technical)

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