

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

Company Appeal (AT) No.379 of 2017

IN THE MATTER OF:

Aude Priya Donatelle Wacziarg EP Engel

...Appellant

Versus

Neemrana Hotels Pvt. Ltd. & Ors.

...Respondents

Present: Shri Aashish Dholakia, Shri Jayant Mehta, Ms. Nidhi Mohan Parashar, Shri Rohan Chawla and Shri Rahul Kukreja, Advocates for the Appellant

Shri Vivek Malik and Shri Dhawal Jain, Advocates for Respondent No.1

Shri Sudhanshu Batra, Senior Advocate with Shri Shantanu Parashar, Shri Aditya Mishra and Ms. Sahiba Pantel, Advocates Respondent No.2

O R D E R

26.04.2018 This is part heard matter. Counsel for Respondent Nos.1 and 2 partly heard. Respondent No.2 is relying on document at Page - 494 dated 12th October, 2017 to claim that name of Respondent No.2 had been removed from the disqualification list and such information was received under RTI. On last date also, we had indicated that the information under RTI is bound to be based on some record or order and that the same is not before us. Counsel for the Respondent No.2 submits that the Respondent No.2 will move ROC for the certified copy of necessary record/order showing removal of name of Respondent No.2 from the disqualification list. Counsel is submitting that the Respondent No.2 had applied to ROC by letter dated 22nd September, 2017 (Page – 473) and

consequently, the name was removed from the list of disqualified Directors as it had been entered wrongly in the first place, is the submission.

Opportunity is given to Respondent No.2 to get certified copy of the application and concerned record/order from the Office of ROC. On the next date, the arguments in this matter should be completed. The copy of the documents/Order should be filed before the next date with affidavit and service of the same be done on the other side.

It is made clear that pendency of this appeal will not come in the way of NCLT to proceed with the matter which is pending before it.

List the present appeal on 23rd May, 2018.

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

[Balvinder Singh]
Member (Technical)

/rs/nn