

**NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI**

**Company Appeal (AT) No. 274 of 2017**

**IN THE MATTER OF:**

**Devinder Singh Shant & Ors.**

**...Appellants**

**Vs**

**Goldstar Enclave Pvt. Ltd.**

**....Respondents**

**Present:**

**For Appellants: Mr. Ratnako Banerjee, Sr. Advocate with Mr. Shaunak Mitra, Mr. Kunal Godhwani and Mr. Manoj Banthia, Advocates.**

**For Respondents: Mr. Jayant Mehta, Ms. Pratiksha Sharma, Mr. Ankit Acharya and Mr. Sajjal Jain, Advocates for Respondent No.1, 8, 33, 34, 35, 36 & 37.**

**With**

**Company Appeal (AT) No. 281 of 2017**

**IN THE MATTER OF:**

**Deepak Kumar Daga & Ors.**

**...Appellants**

**Vs**

**Devinder Singh Shant & Ors.**

**....Respondents**

**Present:**

**For Appellants: Mr. Jayant Mehta, Ms. Pratiksha Sharma, Mr. Ankit Acharya and Mr. Sajjal Jain, Advocates.**

**For Respondents: Mr. Ratnako Banerjee, Sr. Advocate with Mr. Shaunak Mitra, Mr. Kunal Godhwani and Mr. Manoj Banthia, Advocates.**

**With**

**Company Appeal (AT) No. 322 of 2017**

**IN THE MATTER OF:**

**Goldstar Enclave Pvt. Ltd.**

**...Appellants**

**Vs**

**Devinder Singh Shant & Ors.**

**....Respondents**

**Present:**

**For Appellants: Mr. Jayant Mehta, Ms. Pratiksha Sharma, Mr. Ankit Acharya and Mr. Sajjal Jain, Advocates.**

**For Respondents: Mr. Ratnako Banerjee, Sr. Advocate with Mr. Shaunak Mitra, Mr. Kunal Godhwani and Mr. Manoj Banthia, Advocates.**

**O R D E R**

**27.04.2018:** These are part heard appeals. Counsel for both sides are making averments against parties of each other for filing documents in these appeals which were not before NCLT. Both the counsel are then trying to explain the documents which they have filed to justify their filing.

2. The appeal basically is to be confined only to pleadings and documents which were before the Tribunal below.

3. Both the parties are directed to file affidavits disclosing:

i. The list of description of documents and their page numbers in the paper books in the appeals, which documents were not before NCLT.

ii. Reasons for not producing these documents in the Tribunal below and the necessity for their production in this appeal.

4. The affidavit shall be accompanied by an application for ex-post facto leave seeking permission to produce and rely on these documents.

5. Fixed for compliance on **10<sup>th</sup> May, 2018** and for hearing on **16<sup>th</sup> May, 2018 at 2:00 P.M.**

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

(Balvinder Singh)  
Member (Technical)

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