

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

Company Appeal (AT) No. 360 of 2017

IN THE MATTER OF:

Raj Singh Chopra & Ors.

...Appellants

Vs

Jagat Singh Chopra & Ors.

...Respondents

Present:

For Appellants: Mr. Jayant K. Mehta, Mr. Ashok Kumar Jain, Mr. Shubhankar, Mr. Raj Singh Chopra and Mr. Sajal Jain, Advocates.

For Respondents: None.

ORDER

11.12.2017: Heard counsel for the appellants. It is stated that the respondents have already been served. On last date they had sent of a letter without causing any appearance which act was deprecated.

It is said by the learned counsel for the appellants that this matter was taken up before arbitration and award was passed on 22.01.2016 and the parties had settled all their disputes between them by way of agreement. Respondents even filed execution of the same award to take benefits arising from the award in their favour but regarding the company in the present matter which has to go to the appellants, they still raised dispute before NCLT and the learned NCLT taking note of events subsequent to the passing of the arbitration award has passed the impugned order ignoring the award which was brought to the notice of NCLT.

We have gone through the matter as well as the impugned judgment which in last part referred to the arbitration vis-a-vis family settlement but preferred not to pass any order with regard to the partition/ arbitration agreement.

Looking to the fact that the respondents are not present, by way of abundant caution instead of passing any order immediately we list the matter on **15th December, 2017**. Appellants may inform the respondents no. 1 and 2 of the adjourned date and this order by e-mail. If none appears for respondents even on that date suitable orders would be passed.

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

(Balvinder Singh)
Member (Technical)

sh/nn