

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

**Company Appeal (AT) No. 276 of 2017**

**IN THE MATTER OF:**

**Giju P. Mathai**

**.. Appellant**

**Versus**

**Roger Mathew & Ors.**

**.. Respondents**

**Present:**

**For Appellant:**

**Shri Amar Dave, Shri Paul Kuriakose, Shri P.S. Sudheer, Shri Bharat Sood, and Shri Avinash Das Advocates**

**For Respondent No. 4: Shri P.I. Jose, and P.S. Chandralekha, Advocates**

**For Respondent No. 1: Shri Harshad V.H. Advocate**

**O R D E R**

**06.11.2017**

1. Heard Counsels for both the parties. The learned Counsel who appears for Respondent No. 4- South India Bank Limited, submits that this Bank was deleted from the array of Respondents in the Company Petition No. 23/2013 and thus in Appeal they could not have been arrayed as Respondent without permission of the Tribunal. The learned Counsel for the Appellant accepts that the Bank had been deleted and that the South India Bank may be deleted from the array of Respondents in Appeal.

2. The impugned order is not accompanied by Memo of Parties nor the Cause Title of the order gives names of the parties. The learned Counsel for the Appellant says that error has occurred due to this. The Appellant may file a short I.A. today itself to delete the Respondent No. 4. On the application being filed, the name of Respondent No. 4 shall be deleted.

3. Necessary correction be carried out by tomorrow. List the Appeal for hearing on 16.11.2017.

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

[Balvinder Singh]  
Member (Technical)

akc/nn