

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.

... Respondent

Present: Shri Amar Dave, Shri Paul Kuriakose, Shri P.S. Sudheer, Shri Bharat Sood and Shri Avinash Das, Advocates for the Appellant.

Shri Rana Mukherjee, Senior Advocate with Shri Harshad V. Hameed and Ms. Sreoshi Chatterjee, Advocates for Respondent No. 1.

Shri Abraham C. Mathews and Shri Nishe Rajen Shonker, Advocates for Respondent No. 6.

O R D E R

16.11.2017

I.A. No. 826 of 2017 :

Heard the learned counsel for both the sides, perused the application and seen the order passed on 6th November, 2017. Respondent No. 4, South Indian Bank Limited, shall stand deleted.

I.A. No. 826 of 2017 is disposed of accordingly. Appellant to correct Appeal Memo endorsing deletion.

Company Appeal (AT) No. 276 of 2017 :

Learned counsel for the appellant seeks time. Learned counsel for Respondent No. 1 does not object. Learned counsel for Respondent No. 6

is present. Considering the dispute between the parties and considering the impugned order, learned counsel for the appellant as well as Respondent No. 1 agree that Respondent No. 6- Superintending Engineer, Public Works Department, Government of Kerala, is not a necessary party for decision of the present appeal. Learned counsel for the appellant states that Respondent No. 6 was made a party to the appeal because Respondent No.6 was impleaded before the National Company Law Tribunal in the Company Petition. Both the counsel agree that Respondent No. 6 is not necessary party for the purposes of this appeal and may be deleted. Learned counsel for Respondent No. 6 does not have any objection. Learned counsel for the appellant to delete the name of Respondent No. 6 by amending the appeal-memo.

No appearance is filed on behalf of Respondents Nos. 2, 3 and 5 although it is stated by the learned counsel for the appellant that they have been served.

Learned counsel for the appellant and Respondent No. 1 agree to argue this appeal on 23rd November, 2017.

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

[Balvinder Singh]
Member (Technical)