

COMPANY LAW BOARD  
NEW DELHI BENCH  
NEW DELHI

CP NO. 04(ND)2016

CA NO.






PRESENT: CHIEF JUSTICE M. M. KUMAR  
CHAIRMAN

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING OF NEW DELHI BENCH OF THE  
COMPANY LAW BOARD ON 29.03.2016

NAME OF THE COMPANY: **Mr. Praveen Shankaralyan**  
Vs.

**M/s. Elan Professional Appliances Pvt. Ltd. & Ors.**

SECTION OF THE COMPANIES ACT: 397, 398 the Companies Act 1956.

S.NO.	NAME	DESIGNATION	REPRESENTATION	SIGNATURE
1-	DR. CHANDRA SHEKHAR	Advocate for Petitioner	Petitioner	
2	Ashish Maddh	Adv R	Resp - 1st Resp - 2nd	 
3-	Harsh Khanne Praveen. S.	PCS Petitioner		 

ORDER


The cause of action in the present case appears to have arisen on 02.11.2010 when the petitioner was removed as Director. It is pleaded that the petitioner came to know about the aforesaid fact on 15.02.2011. The petitioner also prima facie does not satisfy the criteria for maintaining the petition u/s 399 of the Companies Act 1956. Admittedly he has 1.91% shareholding in the Respondent No.1 company. The petitioner however claims that he satisfies the other criteria as he is one of the 7 members of the company.

P.T.O.

The Respondent has disputed the aforesaid claim made by the petitioner. According to the Respondent there is huge unexplained delay of more than 5 years in filing the petition and the total number of members of the company as on 04.05.2015 is 13. The strength continues to be the same even today.

Faced with the aforesaid, the Id. Counsel for the Petitioner prays for a date to find the answers to the aforesaid formidable questions.

List for further consideration on 04.04.2016 at 10.30 AM.

  
[CHIEF JUSTICE M.M. KUMAR]  
CHAIRMAN

Date: 29.03.2016  
[ravi]