

COMPANY LAW BOARD
NEW DELHI BENCH
NEW DELHI

CP NO. 63(ND)/2015

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 07.04.2016

NAME OF THE COMPANY: Col. Ajay Ahlawat

Vs.

M/s. Royal Hunting Hotels Pvt. Ltd. & Ors.

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

<u>S.NO.</u>	<u>NAME</u>	<u>DESIGNATION</u>	<u>REPRESENTATION</u>	<u>SIGNATURE</u>
1.	Apurva Choudhary	Adv	For Respondent 1 & 3	<u>Apurva Choudhary</u>
2.	Ran Aggarwal	Adv.	} Petitioner	<u>Ran</u>
3	SOUGAT SINHA	Adv		
4	MANOJ KUMAR	CS		
			<u>ORDER</u>	

Learned counsel for the Respondent No.3 states that he shall adopt the reply filed by the Respondent No.1-Company. Reply if any be filed by other respondents as already directed.

CA No.126 & 127/C.1/2016

The Petitioner had requested for interim order on the date of mentioning on 13.8.2015. This court has passed some interim order on 12.11.2013 in C.P. No. 142(ND)/2013 restraining the Respondents company not to create any third party rights on the fixed assets of the company till the next date of hearing. The aforesaid order has been also passed on 13.08.2015 when C.P. No.63(ND)/2015 came up for consideration against same company. Against the aforesaid order dated 13.08.2015 an appeal has already been filed before the Hon'ble High Court of Delhi. In the instant application prayer has been made to direct respondents to file affidavit that "no third party has been created on the immovable property of the company situated at Bharatpur" and deposit original title deed of that property. Likewise

prayer has been made in the other application for grant of interim relief. Accordingly present applications would not survive. Once the interim order dated 13.8.2015 passed in C.P. No.63(ND)/2015 (repeating the interim order dated 12.11.2013 in C.P. No.142(ND)/2013 is subject matter of challenge before Hon'ble High Court this interim relief cannot be claimed before the Company Law Board. The applicant must wait for outcome of the appeal or apply for any such relief to the Hon'ble High Court.

In view thereof the same is disposed of.


(CHIEF JUSTICE M.M. KUMAR)

CHAIRMAN

Dated: 08.04.2016

(vidya)