

COMPANY LAW BOARD
NEW DELHI BENCH
NEW DELHI

CP NO. 15(ND)/2008

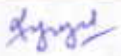

CA NO.

PRESENT: CHIEF JUSTICE M. M. KUMAR
CHAIRMAN

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING OF NEW DELHI BENCH OF THE
COMPANY LAW BOARD ON 22.03.2016

NAME OF THE COMPANY: **Sh. Promod Kumar Goel**
Vs.
M/s. Shree Bihari Forging Pvt. Ltd. & Ors.

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

S.NO.	NAME	DESIGNATION	REPRESENTATION	SIGNATURE
1.	A.K. Gojal	Advocate	Petitioner	
2.	Ramakant Srivastava	Advocate	Respondent No. 2	
3.	Lalit Agarwal	Director		

ORDER

This is an application with prayer for initiation of contempt proceedings against one Shri Pramod Goil on the ground of violating interim directions dated 8.5.2008 passed in C.P. No. 15/2008 titled as Pramod Goil vs Shree Bihari Forgings Pvt. Ltd. and Ors. The prayer further proceeds that the aforesaid Pramod Goil be punished for disobeying the orders passed by Company Law Board. Further directions have been sought to the learned Administrator appointed by Hon'ble Delhi High Court to take the operation and access of the bank accounts of the company into his own hand.

I have heard learned counsel for parties at some length and reach the conclusion that the proper forum for the applicant-respondent Mr. Lalit Agarwal is to invoke the contempt jurisdiction which vests in Hon'ble Delhi High Court because section 425 of the Companies Act, 2013 which confers such jurisdiction on the National Company Law Tribunal has not yet been notified so as to enable Company

Law Board to exercise any such jurisdiction. The report of learned Administrator has also been relied upon. The learned Administrator Hon'ble Justice Anil Kumar (Retired) has also been appointed by Hon'ble Delhi High Court.

Keeping in view the aforesaid applicant-respondent Shri Lalit Agarwal is granted liberty to move Hon'ble Delhi High Court. He may raise all issues which have canvassed in the present application alongwith any other issue according to law.

Application is disposed of in the above terms.


(CHIEF JUSTICE M.M. KUMAR)
CHAIRMAN

Dated: 22/3/2016
(Vidya)