

COMPANY LAW BOARD  
NEW DELHI BENCH  
NEW DELHI


C. P. NO. 154(ND)13  
C A. NO.

PRESENT: B.S.V. PRAKASH KUMAR,  
HON'BLE MEMBER

**ATTENDANCE-CUM-ORDER SHEET OF THE HEARING OF NEW DELHI BENCH OF THE COMPANY LAW BOARD ON 07.04.2016 AT 02.30 P.M**

**NAME OF THE COMPANY: M/s. Goenka Diamond Ltd. & Jewels**

**SECTION OF THE COMPANIES ACT: 397/398**

<u>S.NO.</u>	<u>NAME</u>	<u>DESIGNATION</u>	<u>REPRESENTATION</u>	<u>SIGNATURE</u>
1	Ranjana Roy	Advocate	] Permann	
2	R.K. Gupta	Advocate		
3	Abhay Pratap Singh	Advocate		

**Order**

The petitioner counsel is present. Respondent counsel has remained absent, even to this adjournment as well. It is pertinent to mention that the counsel on behalf of the respondent was appearing regularly until they got resignation letter from the petitioner.

2. The petitioner gave his resignation letter on the assumption that the respondents would comply with the terms and settlement dated 18.03.2014 entered in between the parties, but now, it appears that these respondents


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now turned against the terms they consciously arrived at with the petitioner. These respondents had never raised any objection on the settlement terms and kept on pressing for resignation from the petitioner until it was given. Now, it is, therefore, not fair on their part to purposely remain absent in proceeding further for execution of the remaining terms of the agreement.

3. Therefore, this Bench hereby directs the petitioner counsel to send this order copy to the respondents enabling them to present on the next date of hearing, failing which, this Bench has to pass some orders protecting the interest of the petitioner who resigned from the company on the assumption that respondents would abide by the settlement terms arrived at between them.

List the matter on 16.05.2016 at 2.30 p.m.

  
**(B.S.V. PRAKASH KUMAR)**  
**Member (Judicial)**