

COMPANY LAW BOARD
NEW DELHI BENCH
NEW DELHI



C. P. NO. 10(ND)15
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 08.02.2016 AT 02.30 P.M

NAME OF THE COMPANY: M/s Sh. Hardev Singh Akoi & Ors. V/s. M/s. Rai Bahadur Narain Singh Sugar Mill Ltd.

SECTION OF THE COMPANIES: 397/398

<u>S.NO.</u>	<u>NAME</u>	<u>DESIGNATION</u>	<u>REPRESENTATION</u>	<u>SIGNATURE</u>
1.	Shri U. K. Chaudhary,	Sr Adv.	} Respondent No. 9	
2.	MR. Himanshu V. Adv.			
3.	MR. Wasim Ashraf, Adv.			
4.	MR. Arun Kathpalia, Adv		} Respondents No. 1&2	
5.	Mr. Manik Dogra, Adv			
6.	Mr. Uday Walia, Adv			
7.	Mr. Anugra Robin Frey, Adv			
8.	Mr. Shailendra Singh, Adv			

Order

Counsel appearing on behalf of R1 & R2 filed two applications, one CA 14/C-II/2016 for declaration of item number 3 of minutes of the Annual General Meeting dated 29th September, 2015 of Rai Bahadur Narain Singh Sugar Mills

Contd/-....



Limited as void and inoperative and also a direction to the Board of Directors of R9, the company, to call for an EOGM with an agenda to re-elect R1 or any other representative of the contesting respondents as proposed by the contesting respondents and another CA 15/C-II/2016 for a direction to the company to disclose and produce the missing documents as set forth in paragraph 15 of this application and to provide legible copies of such documents, and in soft copy format, where available and to pass any other and further orders as this Hon'ble Board may deem fit and proper in the facts and circumstances of the case.


2. This applicant had already filed CA 140/2015 in the past seeking inspection, in pursuance thereof, this Bench passed an order dated 09.07.2015 providing inspection to this applicant in pursuance thereof. This applicant had inspection of the records for five days in pursuance of the order passed in CA 140/2015. Simultaneously R9 also filed CA 141/2015 seeking permission to take soft loan of Rs. 17 crores without passing any special resolution in pursuance of Section 180 of Companies Act, 2013. Accordingly, this Bench passed an order dated 24th September, 2015 allowing the company to avail soft loan as offered by the Government of India. Thereafter, an appeal was filed over that order, wherein Hon'ble High Court of Delhi passed a consent order in pursuance of arrangement both the parties agreed in between them.

3. Since this Bench had already provided elaborate inspection for five days in the past, I believe it will become another round of exercise to provide inspection for alleged missing documents as stated by R1. Moreover, the issues raised in the application seeking inspection were already raised while arguing CA 141/2015.

4. In view of the same, this Bench hereby posted these two applications along with main hearing, in case this Bench, at the time of main hearing, feels that there is any requirement to hear over these applications, it will be taken up for hearing when R1 & R2 make their reply submissions in the main petition.

5. List the matter on 09.05.2016 & 10.05.2016 at 2.30 p.m.

Matter fixed on 09.02.2016 is hereby cancelled.


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