COMPANY LAW BOARD
NEW DELHI BENCH
NEW DELHI

C. P. NO. 82 &83(MB)11
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 28.03.2016 AT 10.30 A.M

NAME OF THE COMPANY: M/s. Enercon GmbH V/s. Wind Word India Ltd.

SECTION OF THE COMPANIES ACT: 397/398

S.NO.	NAME	DESIGNATION	REPRESENTATION	SIGNATURE
1.	Senior Counsel Mr. Sarkar a/w Counsel ms. Kanika Sharma a/w Counsel mr. Krishnendu Sayta i/b Bharucha and Partners.		for Petitioner in CP No. 82 of 2011	
2.	Mr. Venkatesh Dhond, Sr Adv. Mr. Ashim Sood, Adv. Mr. Shyam Kapadia, Adv. Mr. R.S. Bidkar, Adv. Ms. Olga Pareira, Adv. i/b Hariani & Co. Adv. for R.2&R.3			
3.	Mr. Mayank Pandey Adv. For Resp. 4 to 8			

Order

The respondents filed this CA praying for taking their reply on record to the amendment application filed by the petitioner stating that this Bench passed an order on 21.09.2015 directing the respondents side to file reply within two weeks thereof, but whereas when the respondents side failed to file reply, this Bench again passed an order on 14.12.2015 stating that for there being no reply to the amendment application as per direction of this Bench, this application was taken up for hearing on 17.02.2016.

2. For having the respondents side realized that filing reply is essential in this matter, they filed reply along with this CA seeking liberty to file reply to the amendment application

3. No doubt it is true that the respondents failed to file reply within the time given, but for this Bench being of the view that the respondent side is required to be heard before passing orders on merits over amendment application, this Bench allowed this application by taking the reply on record by imposing costs of ₹25,000 on the respondents to pay to the petitioners within 15 days hereof.

4. Accordingly, CA is allowed and reply is taken on record.

List Amendment Application for hearing on 27.04.2016 at 2.30 p.m.

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