

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

Company Appeal (AT) No.115 of 2017

IN THE MATTER OF:

Mr. Arvind Parasramka & Ors ...Appellants

Vs

Calcutta Investment Company & Ors ...Respondent

Present: Ms Shraddha Deshmukh, Advocate for the appellants.

Ms Vanita Bhargava and Ms Meherunnisa Anand, Advocates,  
Khatian & Co for Respondents

**ORDER**

19.04.20 17 - When this Court observed that there being a delay of more than 120 days, the Appellate Tribunal cannot condone such delay, learned Counsel appearing on behalf of the appellants sought permission to withdraw the appeal to enable the appellants (who were petitioner No. 1, 2 and 3 before the Tribunal) to move before the appropriate forum for recording their names as shareholders of <sup>Pt</sup> respondent company and if it is not allowed then to move before the appropriate forum against such order. On the other hand if their names are recorded then to move before the National Company Law Tribunal for appropriate relief.

Learned Counsel appearing on behalf of <sup>Pt</sup> Respondent objected to the prayer.

Having heard Learned counsel for the parties, without expressing opinion with regard to question whether appellants' name should be recorded as shareholder or not which required to be decided by appropriate authority, we allow the appellant to withdraw the appeal.

The appeal is dismissed as withdrawn.

We make it clear that we have not gone into the merit of the claim and counter claim.

(Justice S.J. Mukhopadhaya)  
Chairperson

(Mr. Balvinder Singh)  
Member (Technical)