

**NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI**

**Company Appeal (AT) No. 163 of 2020**

**IN THE MATTER OF:**

**Amarjeet Singh Keer**

**...Appellant.**

**Versus**

**Keer Ventures Pvt. Ltd. & Ors.**

**...Respondents.**

**Present:**

**For Appellant: Mr. Sanjay Hegde, Sr. Adv. with  
Mr. Aditya Maubarwala, Mr. Pranjal Kishore,  
Mr. Sahil Mahajan, Mr. Paresh Thakar, Advocates.**

**For Respondent: Mr. Krishnendu Datta, Sr. Adv. with  
Mr. Rahul Kochar, Ms. Kshitiz Garg,  
Advocates for R-1,3 & 4.  
Mr. Amol Sinha, Mr. Neel Gala, Mr. Anshum Jain  
and Mr. Ashvini Kumar, Advocates for R-2.  
Mr. Sourav Roy, Advocate for R-7.  
Mr. Kunal Chheda, Advocate for R-8.**

**ORDER**  
**(Virtual Mode)**

**13.01.2021** Heard Learned Sr. Counsel for the Appellant. Learned Sr. Counsel refers to Impugned Order which is at Page 46 Annexure A-1 which reads as under:

*“1. This is a matter u/s. 241-242 of the Companies Act, 2013. Heard the Counsels for the Petitioner as well as the Respondent. The Counsel for the Respondent mentions that he has not got a copy of the Petition. The Bench observes that this Petition has been filed on 21.07.2020. This Bench also takes note of the fact that the Company in question is a family owned Company where the Petitioner is having about 25% of shares and the Respondents are related to him.*

2. *The Petitioner has been contesting this matter in various Courts of Law. As per the submissions made by the Petitioner, in Order dated 05.02.2020 the Hon'ble Bombay High Court has suggested the parties to adopt the process of mediation to resolve the difference and disputes amongst them.*

3. *This Bench recognizes that there is no urgency in the matter, therefore, it may be listed in usual course. The Respondent is directed to file their reply by 10.09.2020.*

4. *Counsels for Respondent Nos. 1, 2, 3 and 4 are directed to file their Vakalatnama.*

5. *Matter is adjourned to 05.10.2020."*

2. It is stated that the Appellant had filed the Company Petition 'C.P. No. 1011/241-241/MB/2020' before the National Company Law Tribunal, Mumbai Bench raising grievances of oppression and mismanagement. Copy of the petition is at Annexure A-2 Page 47. The Learned Sr. Counsel refers to the Interim Prayers which were made in Para 42 of the Petition (Page 75) and submits that the Appellant wanted certain Interim Reliefs urgently but by the present order in a way the same were denied and the matter was directed to be posted in regular course. Learned Counsel states that the main prayer in the Petition in Para 43 of the Petition.

3. The Learned Sr. Counsel for the Respondents submits that the matter was adjourned to 05<sup>th</sup> October, 2020 and thereafter on few dates this matter had come up before the Ld. NCLT but the Appellant himself took adjournment saying

that the Appeal is pending. It is stated that pleadings in the Company Petition No. 1011/241-242/MB/2020 itself are complete and the Ld. NCLT now is in a position to even hear and dispose the main Company Petition itself.

4. It is stated the Company Petition is coming up before the Ld. NCLT on 22<sup>nd</sup> January, 2021.

5. We have heard the parties. We take into consideration Section 422 of the Companies Act, 2013 which requires the Ld. NCLT to make endeavor to expeditiously dispose the petition within three months form the date of presentation.

We request the Ld. NCLT, Mumbai Bench to hear both the parties with regard to Interim Relief sought and make an effort to dispose the prayer for Interim Relief within two months. If it is possible for the Ld. NCLT to simultaneously dispose the main Petition also, Ld. NCLT may simultaneously dispose the main Petition also. Learned Counsel for the parties state parties will co-operate with the Ld. NCLT.

The Appeal is disposed accordingly.

**[Justice A.I.S. Cheema]**  
**Member (Judicial)**

**[Mr. V.P. Singh]**  
**Member (Technical)**

Basant B./md.

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