

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

Company Appeal (AT) No. 187 of 2019

IN THE MATTER OF:

Mr. S.R. Mohan & Anr.

...Appellants

Versus

State Bank of India & Anr.

...Respondents

Present:

For Appellants : Mr. Kiran B.S., Advocate

O R D E R

24.07.2019 In a pending Company Petition u/s 241 and 242 of the Companies Act, 2013 for alleged violation, the Appellant filed Interlocutory Application No. 195 of 2019 for initiation of contempt proceedings against 'Mr. Duvalla Deekshitulu' u/s 425 of the Companies Act, 2013. The National Company Law Tribunal, Bengaluru Bench taking into consideration the fact of the case and by impugned order dated 4th June, 2019 observed:

“The Applicant/Petitioner alleged that the order dated 26.09.2018 passed in I.A. No. 227 of 2018 is not at all complied with. The Tribunal as per above order has inter alia directed the State Bank of India, Corporate Office, State Bank Bhavan, Madame Cama Road, Nariman Point, Mumbai, to keep the accounts of the Respondents in safe custody so as to produce the same for perusal of the Tribunal, when the case is finally taken up. Accordingly, the State Bank of India (Respondent No. 7) has written a letter dated 30.01.2019 to the Deputy Registrar, NCLT, Bengaluru

Bench, confirming that the account related documents of M/s. OSS Technologies Private Limited are kept in the safe custody at their branch so as to produce the same for perusal of the Tribunal. Therefore, the contempt application is lacks of merit and thus it is liable to be dismissed.”

Having heard the learned counsel for the Appellant, we are of the view that no case is made out to interfere with the impugned order dated 4th June, 2019. The appeal is dismissed. No cost.

[Justice S.J. Mukhopadhaya]
Chairperson

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

[Kanthi Narahari]
Member (Technical)

/ns/gc