

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

**Company Appeal (AT) No. 26 of 2019**

**IN THE MATTER OF:**

**Smruti Shreyans Shah**

**...Appellant**

**Vs**

**The Lok Prakashan Ltd. & Ors.**

**....Respondents**

**Present:**

**For Appellant: Mr. Vivek Sibal and Ms. Anshree Kapadia,  
Advocates.**

**For Respondents: Mr. Sumesh Dhawan and Mr. Rajeev Kumar,  
Advocates for R-2.**

**Mr. Vishnu Sankar, Advocate for R-4.**

**ORDER**

**25.01.2019:** When we pointed out that appeal against the original order dated 13<sup>th</sup> October, 2017 is pending consideration in an appeal Company Appeal (AT) No. 25 and 32 of 2018, learned counsel appearing on behalf of the Appellant submitted that they have raised the question that their consent has been wrongly recorded in the order dated 13<sup>th</sup> October, 2017. This apart certain statements have been wrongly attributed to him in the said order dated 13<sup>th</sup> October, 2017, which were also brought to the notice of the Tribunal, which passed order dated 12<sup>th</sup> December, 2018.

2. When we pointed out that all these questions can also be raised in the pending appeal, learned counsel for the Appellant prayed for permission to raise the issues in the pending appeal, which were raised before the Tribunal by filing application under sub-section (2) of Section 420 of the Companies Act, 2013.

3. We allow the Appellant to raise those issues in the pending appeal, without expressing any opinion with regard to the appeal, which will be considered by this Appellate Tribunal uninfluenced by the impugned order dated 12<sup>th</sup> December, 2018 passed by the Tribunal in I.A. No. 6 of 2018 in C.P. No. 16/241/NCLT/AHM/2017. The appeal stands disposed of with aforesaid liberty.

[Justice S. J. Mukhopadhaya]  
Chairperson

[Justice Bansi Lal Bhat]  
Member (Judicial)

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