

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

Company Appeal (AT) No. 44 of 2020

IN THE MATTER OF:

P. Lakshmi & Anr. ...Appellants

Versus

Shyam Sundar Agarwal & Ors. ...Respondents

For Appellant: Mr. C. S. Chidambaram, Advocate.

For Respondent: Mr. Angad Mehta, Advocate.

WITH

Company Appeal (AT) No. 45 of 2020

IN THE MATTER OF:

M/s Mancherial Cement Co. Pvt. Ltd. & Anr. ...Appellants

Versus

Shyam Sundar Agarwal & Ors. ...Respondents

**For Appellant: Mr. C. S. Chidambaram, Mr. Gaurav Mitra, Mr. D. Abhinav
Rao and Ms. Monalisa Kosaria, Advocates.**

For Respondent: Mr. Angad Mehta, Advocate.

WITH

Company Appeal (AT) No. 46 of 2020

IN THE MATTER OF:

M/s Mancherial Cement Co. Pvt. Ltd. & Anr. ...Appellants

Versus

Shyam Sundar Agarwal & Ors. ...Respondents

**For Appellant: Mr. C. S. Chidambaram, Mr. Gaurav Mitra, Mr. D. Abhinav
Rao and Ms. Monalisa Kosaria, Advocates.**

For Respondent: Mr. Angad Mehta, Advocate.

ORDER

26.02.2020 Company Appeal (AT) No. 44 of 2020 and in Company Appeal (AT) No. 46 the Appeals have been filed with delay of 44 and 37 days respectively. 45 days is the period of appeal and above that 45 days there has been delay of 44 and 37 days respectively it is stated. Heard, counsel for Appellant and Mr. Angad Mehta, Advocate for the Respondents (Original Petitioners). For reasons stated the delay in filing of Appeal in Company Appeal (AT) No. 44 of 2020 and Company Appeal (AT) No. 46 of 2020 are condoned.

In all these Appeals, issue notices.

Mr. Angad Mehta, Advocate appears on behalf of all the Respondents-Original Petitioners in these three Appeals and formal services of notice is dispensed with.

It is stated that in Company Appeal (AT) No. 44 of 2020 and Company Appeal (AT) No. 46 of 2020 the impugned order is dated 19th November, 2019 of the Learned National Company Law Tribunal, Hyderabad Bench. The Company Appeal (AT) No. 45 of 2020 is against the application filed for modification of the order dated 19th November, 2019 which it is stated was not accepted.

Learned counsel for the Appellant is insisting for modification of the impugned orders from 30% to 12%. However, it would be appropriate that the Respondents first file their Reply Affidavit in these Appeals and then we look into the dispute.

The Respondents (Original Petitioners) to file Reply Affidavit by 6th March, 2020. Learned counsel for Appellant says that the Appellants will not file

Company Appeal (AT) Nos. 44, 45 & 46 of 2020

Rejoinder.

List these Appeals 'For Admission (After Notice)' on **12th March, 2020.**

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

[Justice Anant Bijay Singh]
Member (Judicial)

[Kanthi Narahari]
Member (Technical)

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Company Appeal (AT) Nos. 44, 45 & 46 of 2020