

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

**Company Appeal (AT) No. 231 of 2019**

**IN THE MATTER OF:**

**Jatin Karnani & Ors.**

**...Appellants**

**Versus**

**Neelachal Minerals Ltd. & Ors.**

**...Respondents**

**Present :**

**For Appellant:                    Mr. Ashok Kumar Jain, Mr. Pankaj Jain and  
   Mr. Jayant Mehta, Advocates**

**For 1<sup>st</sup> Respondent:        Mr. Devesh Bhatia, Mr. Dhruv Surana and Mr. Ashish  
   Choudhury, Advocates**

**ORDER**

**21.08.2019**            The Appellant has challenged the order dated 18<sup>th</sup> July, 2019 passed by the National Company Law Tribunal, Kolkata Bench, Kolkata, which reads as follows :

*“Ld. Counsel for the petitioner appears. Ld. Counsel for the respondent appears. Submission of the Ld. Counsel for the petitioner are heard in part. However, for want of time, matter stands adjourned to 24.09.2019 for further consideration.”*

Though no substantive case is made out against the impugned order dated 18<sup>th</sup> July, 2019, it is stated by the learned counsel for the Appellant that the matter is pending from 2016 and for the last one year, the case is adjourned despite the order passed by this Appellate Tribunal on 12<sup>th</sup> September, 2018 in ‘Company Appeal (AT) No. 314 of 2018’. From the said order, we find that this Appellate Tribunal on 12<sup>th</sup> September, 2018 expected that the Tribunal would

dispose of the matter and decide the case on merit without granting any unnecessary adjournment for one or other reason.

Mr. Devesh Bhatia, advocate appearing on behalf of 'Neelachal Minerals Limited' submits that the matter is part-heard and heard on 13<sup>th</sup> June, 2019 and 18<sup>th</sup> July, 2019 and will be taken up on 24<sup>th</sup> September, 2019. We expect that the Tribunal will decide the matter within six weeks failing which we will refer the matter to another Bench.

The Registrar, National Company Law Tribunal, Kolkata Bench, Kolkata will inform the development after six weeks to this Appellate Tribunal.

The appeal stands disposed of with aforesaid observations.

Office will communicate this order to Mr. Justice M.B. Gosavi, Member (Judicial), National Company Law Tribunal, Kolkata Bench, Kolkata for information.

[Justice S.J. Mukhopadhyaya]  
Chairperson

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

[Kanthi Narahari]  
Member (Technical)

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