

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

Company Appeal (AT) No. 287 of 2019

IN THE MATTER OF:

Mahendra G. Wadhvani

...Appellant.

Versus

Reed Relays & Electronics India Ltd & Ors.

...Respondents.

Present:

For Appellant: Ms. Astha Trivedi and

Mr. Alexandra Celestine, Advocates.

For Respondent: Mr. Delep Goswami, Mr. Anirrud Goswami,

Mr. Eshwar, Advocates for R-1.

Mr. Abhishek Baid, Advocate for R-2.

Mr. Goutham Shivshankar and Mr. Pawan Jabakh,

(Impleadment for Tamil Nadu Industrial Corp. Ltd.)

ORDER
(Virtual Mode)

22.02.2021 In this matter, inter alia issue has arisen with regard to the First Proviso of Section 419 (3) of the Companies Act, 2013. We have seen the Circular dated 21st November, 2017 passed by the Ld. NCLT. It appears to us that to consider the legal issue in this regard, we should request some Senior Counsel to assist us as Amicus Curiae, in order to take a decision as it is legal issue with shade of wider ramification.

Learned Sr. Counsel-Shri Ramji Srinivasan is not before us in this Hearing as it is in Virtual Mode.

Learned Counsel for Appellant and Respondent No. 1 and 2 agree to name of Shri Ramji Srinivasan, Sr. Advocate.

We request Sr. Advocate Shri Ramji Srinivasan to assist us as Amicus Curiae with regard to the legal issue which has arisen with regard to First Proviso

of Section 419 (3) of the Companies Act, 2013. We request the Registrar of Ld. NCLT to take instructions and assist the Hon'ble Amicus Curiae, in the matter. The parties are requested to share their pleadings with the Amicus Curiae.

List the present matter for 'Further Directions' **on 3rd March, 2021.**

Registry to convey the present request to the Ld. Amicus Curiae.

Court Master to convey copies of material Record of Proceeding and Circular dated 21.11.2017 to Amicus Curiae.

Interim Orders to continue till next date.

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

[Dr. Alok Srivastava]
Member (Technical)

Basant B./md.

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