

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

**Company Appeal (AT) (Ins) No.1496 of 2019**

**IN THE MATTER OF:**

**Durga Prasad Agarwal & Anr.**

**... Appellants**

**Versus**

**Limtex Tea & Industries Ltd. & Anr.**

**...Respondents**

**For Appellants:**

**Ms. Suhita Mukhopadhyay, Shri Abhijeet Sinha,  
Shri Avirup Chatterjee and Shri Aditya Shukla,  
Advocates**

**For Respondents:**

**Shri Rishab Kaushik, Advocate (R-1)  
Shri Abhishek Sharma, Advocate (R-2)**

**O R D E R**

**(Virtual Mode)**

**16.10.2020** Advocate Shri Rishab Kaushik submits on behalf of Respondent that he has not been able to file Reply in the Tribunal, although he had sent copy of the Reply to the Appellant and has even received Rejoinder from the Appellant. It is surprising that the party sends Reply to the other side but does not file the same in the Tribunal. The Respondent even received Rejoinder from the Appellant which shows that the Respondent had sufficient time within which the Reply could have been filed in this Tribunal. The other aspect is that although the Respondent has received the Rejoinder, our record does not show that we have received Rejoinder. Counsel for the Appellant states that Diary number of the Rejoinder is – 22125.

We adjourn the matter.

Let the Respondent ensure that the Reply comes on our record. In default, on next date, we may not be able to accommodate the Respondent.

Parties may file brief written submissions not more than three pages before next date. Copies of Judgements they want to rely on may also be filed separately.

List the Appeal 'for admission (after Notice) hearing' on 19<sup>th</sup> November, 2020.

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

(Justice Anant Bijay Singh)  
Member (Judicial)

*rs/md*