

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

Company Appeal (AT) No.144 of 2019

IN THE MATTER OF:

M/s. Umiya Builders and Developers & 2 Ors.Appellants

Vs.

Mr. Jitendra Virwani & Ors.Respondents

Present :

For Appellant: Mr. Debal Kumar Banerji, Senior Advocate with Mr. Rajiv Yadav, Mr. Mohana, Ms. Ankita, Advocates

For Respondents: Dr. U.K. Chaudhary, Senior Advocate with Mr. N.Dahiya, Ms. Manisha, Ms. Deepti, Advocates for R-1

Mr. Ashok, Mr. Anshuman, Advocates for R-2

Mr. Arvind Nayar, Senior Advocate with Mr. N.Dev, Ms. U.Chandrashekar, Advocates for R-3 and R-6

With

Company Appeal (AT) No.179 of 2019

IN THE MATTER OF:

Mr. Barun PandeyAppellant

Vs.

Mr. Jitendra Virwani & Ors.Respondents

Present :

For Appellant: Mr. Arvind Nayar, Senior Advocate with Mr. N.Dev, Ms. U. Chandrashekar, Advocates

...contd.

For Respondents: Dr. U.K. Chaudhary, Senior Advocate with Mr. N.Dahiya, Ms. Manisha, Ms. Deepti, Mr. Ajesh Kumar, Advocates for R-1

O R D E R

02.08.2019 - Learned counsel for the Appellant submits that the Appellant was allowed to withdraw the appeals with liberty to raise all contentions and issues before the Tribunal where application u/s 241 and 242 preferred by Respondent – ‘Jitendra Virwani’ is pending consideration.

2. Dr. U.K. Chaudhary, Learned Senior Counsel appearing on behalf of 1st Respondent submits that Respondent has 19.83% of total shareholding as on the date of filing of petition and further submits that he has no objection if the appeal is allowed to be withdrawn for immediate decision pending before the Tribunal.

3. In the facts and circumstances, we allow the Appellant to withdraw the appeal leaving all the contentions and issues to argue before the Tribunal which may be decided at the stage of final hearing uninfluenced by the decision made in the Impugned order.

...contd.

Parties are expected not to ask for unnecessary adjournment and cooperate with the Tribunal.

Both the appeal(s) stands disposed of as withdrawn.

[Justice S. J. Mukhopadhaya]
Chairperson

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

[Kanthi Narahari]
Member (Technical)

ss/gc

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