

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

Company Appeal (AT) No. 137 of 2020

In the matter of:

Manjunath Ravindra & Anr.

....Appellants

Vs.

Mentor Capital Ltd. & Ors.

...Respondents

Present

For Appellants: Mr. D. Abhinav Rao, Mr. C.S. Naman Joshi (PCS) & Ms. Monalisa Kosaria, Advocates.

For Respondents: Mr. Dhyan Chinnappa, Sr. Advocate alongwith Mr. Upinder Singh, Mr. Ankur Loona & Ms. Aparna Wagle, Advocates for R-1 to R-4.

ORDER
(Virtual Mode)

31.08.2020: Heard the Learned Counsel for the Appellant. He submits that the NCLT after hearing the argument 'reserved the case for Judgment' and before passing the Judgment, the Respondent filed the 'Rejoinder' and considering the Rejoinder, the Impugned Judgment has been passed without giving any opportunity to the Appellant. The Order is prejudicial to the Appellant.

He further submits that the operation of the Impugned Order may be stayed.

The Learned Counsel appearing on behalf of the Respondent No. - 1 to 4 is objecting the prayer.

We have considered the submissions.

The Respondents Counsel may file the 'Reply Affidavit' within two weeks. Rejoinder, if any, may be filed one week thereafter.

Let notice be issued to rest Respondents by speed post. Requisite alongwith process fee, if not filed, be filed by tomorrow. If the Appellant provides the e-mail address of the Respondents, then notice be issued through e-mail.

Meanwhile, the operation of the Impugned Order shall be stayed and to maintain 'Status-quo' in regard to shareholding pattern till the next date of hearing.

Let the matter be adjourned to **25th September, 2020**.

[Justice Jarat Kumar Jain]
Member (Judicial)

[Balvinder Singh]
Member (Technical)

[V.P. Singh]
Member (Technical)

Sim/nn