

Comp. A. Nos.236 and 234 of 2019
in
C.P.No.143 of 2015

N. SATHISH KUMAR, J.

Comp.A.No.236 of 2019 :

The application in Comp.A.No.236 of 2019 has been filed to transfer the company applications, filed before the National Company Law Tribunal ('NCLT' for brevity) under Section 73(4) of the Companies Act, 2013, viz., C.A.No.1365 of 2018 (including but not limited to C.A.No.1365 of 2018), at the instance of the 2nd respondent against the applicant company, for recovery of certain amounts, to the file of this Court.

2.It is an undisputed fact that, by virtue of claim before this Court, a sum of Rs.16.19 Crores has already been deposited before this Court and is lying to the credit of this Company Petition. Now, it appears that, certain applications have been filed before the NCLT for recovery of amount. The nature of those applications indicates that they have been filed for recovery of amounts from the deposit. Since, the amount has already been deposited before this Court, I am of the view that, the applications pending before the NCLT can be transferred to this Court, so that, all such claims can be decided by this Court.

N. SATHISH KUMAR, J.

mkn

3. Therefore, the Company Application in C.A.No.1365 of 2018, filed and pending on the file of the NCLT, Chennai, with all connected claim applications tagged with it, is ordered to be transferred to this Court. The applicant company is hereby directed to inform all the claimants before the NCLT, about this order, so that, all the claimants can appear before this Court through their respective counsel, for adjudication of their claim. Accordingly, the company application in Comp.A.No.236 of 2019 is ordered.

Comp.A.No.234 of 2019 :

In view of the above order, passed in Comp.A.No.236 of 2019, the interim stay granted in Company Application No.234 of 2019 is made absolute.

WEB COPY

02.08.2019
(2/2)

mkn

Comp.A.Nos.236 & 234 of 2019
in C.P.No.143 of 2015