

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.01.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

C.R.P. (PD) Nos. 3348, 3350, 3077, 3080 of 2018

&

C.M.P.Nos.17785, 17786, 17794, 17792, 18995, 18998 of 2018

Rakesh Sheth ...Petitioner in CRP No.3348 of 2018

Manoj Sheth ...Petitioner in CRP No.3350 of 2018

M/s.Statcolnfra Projects Pvt.Ltd.,
Rep by its Managing Director,
Mr.Manoj K Sheth....Petitioner in CRP Nos.3077 & 3080
of 2018

Vs

M/s.Narendra Properties Ltd.,
Rep by its Managing Director
Mr.Chirag Maher, Mekanji House,
2nd Floor, 19 (Old No.25), Barnaby Road,
Kilpauk, Chennai.National Company Law Tribunal-I,
Chennai.

...Respondent in all the CRPs

...2nd Respondent in CRP Nos.3348 & 3350 of 2018

Prayer in CRP Nos.3348 & 3350 of 2018: Civil Revision Petitions filed under Article 227 of the Constitution of India, to set aside the impugned orders dated 10.10.2018 in CP/360/IB/2018, CP/354/IB/2018 respectively, on the file of the National Company Law Tribunal - I, Chennai.

Prayer in CRP Nos.3077 & 3080 of 2018: Civil Revision Petitions filed under Article 227 of the Constitution of India, to set aside the impugned orders dated 25.09.2018 in CP/354/IB/2018, CP/360/IB/2018 respectively, on the file of the National Company Law Tribunal - I, Chennai.

For Petitioners : Mr.Vijay Narayan, Senior Counsel
for Nithyaesh and Vaibhav
(in all CRPs)

For respondents : Mr.Jayesh B.Dolia
for M/s.Aiyar & Dolia
(in all CRPs)

COMMON ORDER

The main ground on which these Civil Revision Petitions are filed is that the petitioners were not given due opportunity before the Tribunal when impugned orders came to be passed.

2. Today, when the matter is called, the learned counsel for the respondents submitted that he has no objection if the orders in the present Civil Revision Petitions are set aside and the matter be remanded back to the Tribunal for fresh consideration. The learned senior counsel for the petitioners also has no objection for such an order of remand being passed.

3. In view of the submissions made by the learned counsel for the respondents, the orders passed in CP/360/IB/2018, CP/354/IB/2018 are set aside. Consequently, the proceedings are remanded back to the file of the National Company Law Tribunal, Chennai for fresh consideration, which exercise shall be done after giving due opportunities to both the parties.

4. With the above observations, the Civil Revision Petitions stand disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

11.01.2019

Index:Yes/No
Speaking Order: Yes/No
mrm/hvk

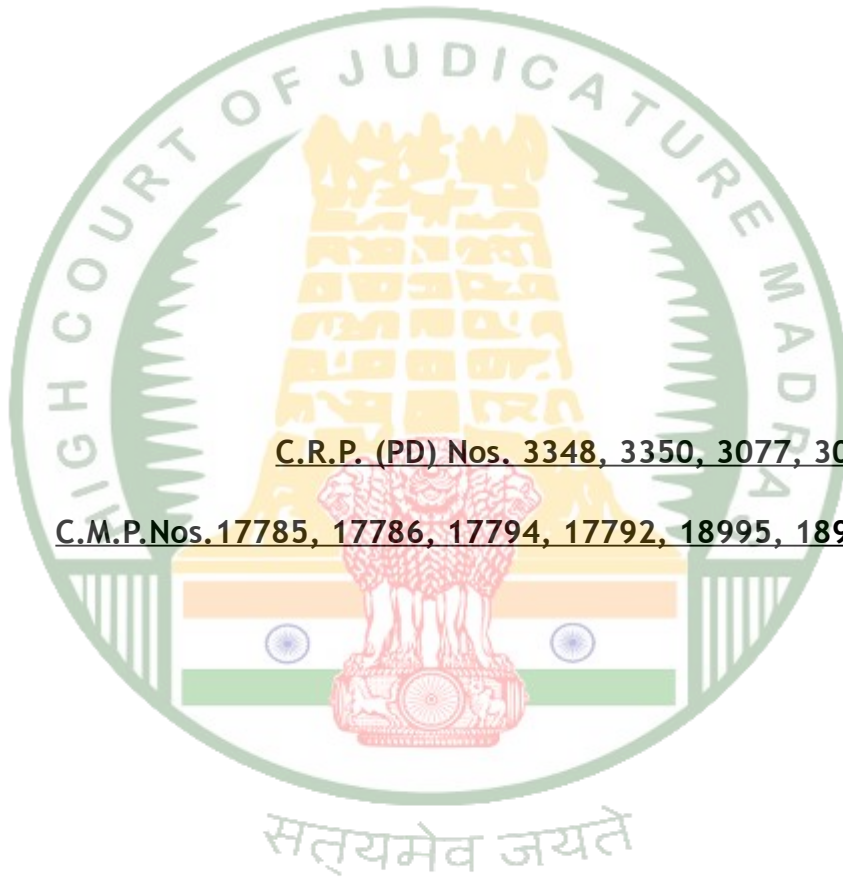
To

The National Company Law Tribunal-I,
Chennai.

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M.S.RAMESH.,J

mrm



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