

**NATIONAL COMPANY LAW APPELLATE TRIBUNAL, PRINCIPAL BENCH,
NEW DELHI**

Company Appeal (AT) No. 45 of 2021

IN THE MATTER OF:

Gangar Opticians Pvt. Ltd.

...Appellant

Versus

Jayantilal Bhimshi Gangar & Ors.

...Respondents

Present: -

For Appellant: Mr. Jayant Mehta, Sr. Adv. With Siddhesh Bhole, Mr. Aman Kacheri, Mr. Rishabh Dhanuka, Mr. Zeeshan Hashmi, Mr. Ankit Parashar, Advocates.

For Respondent: Mr. Abhinav Chandrachud, Advocate

With

Company Appeal (AT) No. 46 of 2021

IN THE MATTER OF:

Gangar Opticians Pvt. Ltd.

...Appellant

Versus

Jayantilal Bhimshi Gangar & Ors.

...Respondents

Present: -

For Appellant: Mr. Jayant Mehta, Sr. Adv. With Siddhesh Bhole, Mr. Aman Kacheri, Mr. Rishabh Dhanuka, Mr. Zeeshan Hashmi, Mr. Ankit Parashar, Advocates.

For Respondent: Mr. Abhinav Chandrachud, Advocate

ORDER
(Virtual Mode)

12.04.2021 Ld. Sr. Counsel for the Appellant submits that Ld. Tribunal without any specific prayer in M.A No. 3144 of 2019 vide order dated 16.12.2020 directed to appoint independent valuer. Thus, the Tribunal exceeded its jurisdiction while passing such an order.

Mr. Abhinav Chandrachud, Advocate waived and accepted notice on behalf of the Respondent Nos. 1 and 2 (who are the Petitioner before the Tribunal). Hence, no need to send the notice to the Respondents.

Ld. Counsel for the Respondents seeks and is granted two weeks' time to file Reply Affidavit. Rejoinder, if any, may be filed within one week thereafter.

In the meanwhile, parties are directed not to proceed further with valuation exercise and to maintain status quo in this regard till next date of hearing.

Ld. Sr. Counsel for the Appellant submits that in both the Appeals the facts are the same and the impugned order are also identical, therefore, the Appeals may be heard together. The Registry is directed to list these Appeals together.

Let the matters be fixed 'For Admission (After Notice)' on **19th May, 2021**.

[Justice Jarat Kumar Jain]
Member (Judicial)

[Mr. Kanthi Narahari]
Member (Technical)

SC/Kam.