

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

**Company Appeal (AT) No. 224 of 2017**

**IN THE MATTER OF:**

**Lotus Homes Ltd. & Ors. ...Appellants**

**Vs.**

**Sanjan Kumar Bhagat & Ors. ...Respondents**

**With Company Appeal (AT) No. 225 of 2017**

**UCIC Pvt. Ltd. & Ors. ...Appellants**

**Vs.**

**Sanjan Kumar Bhagat & Ors. ...Respondents**

**Along with Company Appeal (AT) No. 226 of 2017**

**Kamini Ferro Ltd. & Ors. ...Appellants**

**Vs.**

**Sanjan Kumar Bhagat & Ors. ...Respondents**

**Present: For Appellants:-Mr. Sanjay Grover, PCS**

**ORDER**

**19.07.2017** All these three appeals have been preferred by common appellant against similar orders all dated 16<sup>th</sup> May 2017 which verbatim reads as follows:-

*“Ld. Counsels for the petitioners and the respondent are present.*

*It appears from the record that on 1<sup>st</sup> May 2017 petitioner was granted time to file rejoinder on 2<sup>nd</sup> May 2017. But it has been filed on 09.05.2017 without seeking leave of the court. Petitioner is in default in filing the rejoinder. Rejoinder is taken on record subject to payment of cost of Rs. 3,000/-, which is payable to the State Legal Service Authority, West Bengal. Ld. Pr., CS for the respondents made a request that his objection may be noted in this respect, because non-filing of rejoinder in time is in violation of NCLT Rules. Ld. Pr. CS for the respondents has pointed out that petitioner has served copy of the reply to the demurrer application on 8<sup>th</sup> May 2017, but it is unsigned and without bearing any stamp of Notary Public. Ld. Pr. CS for the respondent also pressed that as per NCLT Rules petitioner is to serve exact copy of the reply which he has filed in the court.*

*Without going into merit of the case we hereby order the petitioner to supply exact copy of the reply within three days to the respondents. Thereafter respondents may file rejoinder within seven days.”*

Having heard the person appeared on behalf of the appellants and having gone through the impugned order, we are not inclined to interfere with the impugned order. All appeals are dismissed. No cost.

**(Justice S.J. Mukhopadhaya)**  
**Chairperson**

**(Balvinder Singh)**  
**Member(Technical)**

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