

**NATIONAL COMPANY LAW APPELLATE TRIBUNAL**

**NEW DELHI**

**Company Appeal (AT) No. 09 of 2019**

**IN THE MATTER OF:**

**Esquire Electronics Ins. & Anr.**

**...Appellant**

**Versus**

**Netherland India Communications Enterprises Ltd.**

**...Respondent**

**Present:**

**For Appellant : Shri Amit**

**For Respondent: Shri Krishnendu Datt, Shri Manu Beri and Shri Varun Varma, Advocates**

**O R D E R**

**07.01.2019** The appellant has filed this appeal against order dated 16<sup>th</sup> November, 2018 passed by National Company Law Tribunal, New Delhi which reads as follows:-

*“This is an application filed under Order 6 Rule 17 of CPC read with NCLT Rules, 2016 seeking amendment of the original petition by incorporating additional paras.*

*Notice of the application was issued. Learned counsel for the non-applicant-respondent has put in appearance.*

*After hearing the learned counsel for the parties, we grant permission to amend subject to all just exceptions. The amended petition is taken on record.*

*Notice of the amended petition.*

*Reply to the amended petition be filed within four weeks with a copy in advance to the counsel for the petitioner.*

*Rejoinder, if any, be filed within two weeks thereafter with a copy in advance to the counsel opposite.*

*List for arguments on 24.01.2019.*

*CA – 1130(PB)/2018 stands disposed of.”*

Learned counsel for the appellant submits that the main counsel is not in the town, who is to argue the case. However, we are not inclined to grant any adjournment as the Tribunal has not decided the matter on merit. If the adverse order is passed, the appellant may move before the appropriate forum. Appeal stands disposed of. No cost.

[Justice S.J. Mukhopadhaya]  
Chairperson

[ Justice Bansi Lal Bhat ]  
Member (Judicial)

ss/gc/