

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

**Company Appeal (AT) No. 316 of 2018**

**IN THE MATTER OF:**

**Chandrasena Vishwas Patil**

**...Appellant**

**Vs**

**Shah & Jain Construction Pvt. Ltd. & Anr.**

**....Respondents**

**Present:**

**For Appellant: Mr. G. Saikumar, Ms. Soumya Saikumar and Ms. Nikita Choukse, Advocates.**

**For Respondents: Mr. Utkarsh Kulvi and Ms. Sanjana Arora, Advocates for R-1 to 4.**

**ORDER**

**14.09.2018:** The Appellant has challenged the order dated 7<sup>th</sup> August, 2018, which reads as follows:

**“ORDER**

34. IA 64/2017  
IA 65/2017  
MA 05/2017  
MA 39/2017  
MA 507/2017 in TCP 25/241, 242, 244/MB/2016

*At request, list this matter on 28.9.2018.”*

2. Having heard learned counsel appearing on behalf of the Appellant and learned counsel appearing for Respondent No. 1 to 4, we find no ground to interfere with the impugned order, in absence of any finding of the Tribunal.

3. Learned counsel for the Appellant/ Petitioner submits that the petition under Section 241 and 242 of the Companies Act, 2013 filed by the petitioner is pending since 2016 and the Tribunal is only adjourning the case, without going into the merit.

4. In this regard while we are not inclined to pass any direction, hope that the Tribunal will decide the main petition alongwith all interlocutory applications on merit on an early date without granting unnecessary adjournment to the parties. The appeal stands disposed of with aforesaid observations. No costs.

[Justice S. J. Mukhopadhaya]  
Chairperson

[Justice A. I. S. Cheema]  
Member (Judicial)

*am/uk*