

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

Company Appeal (AT) No. 115 of 2019

IN THE MATTER OF:

Aakanksha Bawa ...Appellant

Vs.

Union of India, Ministry of Corporate Affairs ...Respondent

With

Company Appeal (AT) No. 116 of 2019

IN THE MATTER OF:

Asha Kiran ...Appellant

Vs.

Union of India, Ministry of Corporate Affairs ...Respondent

Present:

Appellant: Mr. Jayant Bhushan, Sr. Advocate with Mr. Gaurav Mitra and Mr. Sachin Midha, Advocates.

Respondent: Mr. Sanjay Shorey, Director (L&P), MCA with Mr. Rakesh Tiwari, Advocate for Union of India.

O R D E R

29.05.2019 – These appeals have been preferred by 'Ms. Aakanksha Bawa' and 'Ms. Asha Kiran' against common order dated 26th April, 2019 passed by the National Company Law Tribunal, Mumbai Bench (hereinafter referred to as 'Tribunal') whereby on the application filed by Union of India, Appellants herein have been ordered to be impleaded as party respondent(s) to the Company Petition and interim orders have been passed against them.

2. Learned counsel appearing on behalf of the Appellants submitted that interim orders were passed ex-parte without hearing the Appellants. However, we are of the view that the aforesaid issue could have been raised by the Appellants before the Tribunal before moving before this Appellate Tribunal.

3. In the circumstance, without expressing any opinion on the merit of the claim and the interim order passed against the Appellants, we allow the Appellants to move before the Tribunal for vacation or modification of the interim order dated 26th April, 2019. If such application is preferred by the Appellants before the Tribunal within two weeks, the Tribunal will decide the same uninfluenced by its earlier order and any order passed by this Appellate Tribunal in other appeals. Both the appeals stands disposed of with aforesaid liberty and observations. No costs.

[Justice S. J. Mukhopadhaya]
Chairperson

[Justice Bansi Lal Bhat]
Member (Judicial)

am/sk