

IN THE NATIONAL COMPANY LAW APPELLATE TRIBUNAL

NEW DELHI

Company Appeal (AT) No. 8 of 2016

Anup Kumar Agarwal & Anr.

..... **Appellants**

Vs.

Crystal Thermotech Limited & Ors.

..... **Respondents**

16.09.2016

Present:

Mr. A. K. Shrivastava, Ms. Manjulika Paul,

... **Appellants**

Heard the learned counsel for the appellants and perused the record.

Taking into consideration the fact that the company petition is pending since May, 2016 and for grant of interim relief, the appellant had to move before different forum such as National Company Law Tribunal, Kolkata then Calcutta High Court and thereafter National Company Law Appellate Tribunal, New Delhi. We are of the view that the Company petition should be heard and disposed of at an early date in view of Section 422 of the Companies Act, 2013 which prescribes three months period for disposal of the petition(s). We have noticed that already two and half months have passed after the matter was taken up by National Company Law Tribunal, Kolkata.

If the National Company Law Tribunal, Kolkata, for any good reason is not in a position to dispose of the petition within three months, the Tribunal will consider the question whether to pass appropriate interim order to protect the interest of the appellants and the Respondent company and other share holders.

The Company Appeal stands disposed of with aforesaid observation.

(Justice S.J. Mukhopadhaya)
Chairperson

(Mr. Balvinder Singh)
Member (Technical)