



SINGLE BENCH
COURT - III

O-201

**NATIONAL COMPANY LAW TRIBUNAL
KOLKATA BENCH
KOLKATA**

CP/344(KB)2022

CORAM: 1. HON'BLE MEMBER(J), SHRI CHEEKATI RADHA KRISHNA

ORDER SHEET OF THE HEARING ON 27TH AUGUST 2025

IN THE MATTER OF	PRADIP KUMAR VS WELLFARE BUILDINGS AND ESTATES PRIVATE LIMITED
UNDER SECTION	SEC. 73(4)

Appearance (physically)

Ms. Shobha Upadhyay, Adv.

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For the Respondents

Ms. Mahasmriti Ghosh, Adv.

ORDER

1. Ld. Counsels for the Respondents are present.
2. Ld. Counsel for the Respondent submits that talks for settlement are going-on between the parties.
3. The Power of Attorney holder of the applicant Mr. Vivek Kumar Madheshiya submitted an affidavit of settlement between the parties, in which he has stated that the petitioners are agreeable to receive only the principal amount and not the interest.

In his affidavit, Mr. Vivek Kumar Madheshiya also submitted that the depositors are the small investors and do not have any bank account and thus, the payment needs to be made in the name of the legal attorney i.e. Vivek Kumar Madheshiya. He has erroneously mentioned himself as the legal attorney, but he is the Power of Attorney holder in this matter. But, the Power of Attorney is not filed in the Registry of this Tribunal.

4. The Counsel for the applicants is directed to file an affidavit of all the applicants, stating that they are agreeable for settlement to receive only the principal amount and not the interest amount.

Secondly, Mr. Vivek Kumar Madheshiya in his affidavit stated that this principal amount which the respondents would pay may be credited in his account.



It is noticed that the Vakalatnama filed in this petition is not in the proper format. Ld. Counsel for the applicants is directed to file Vakalatnama afresh in the proper format duly signed by all the applicants and Advocate on Record with their address and with all other details.

It is also seen in the affidavit accompanying the petition, the name of the applicant is not the same in verification portion.

Ld. Counsel for the Applicants is directed that to correct and file a fresh affidavit accordingly.

Ld. Counsel for the Applicants is directed to make physical appearance of all the five Applicants before the Tribunal on the next date of hearing.

Thirdly, it is also directed to the Counsel for the applicants to file an affidavit stating whether Mr. Vivek Kr. Madheshiya is Power of Attorney holder of first applicant or for all applicants.

5. Let a joint affidavit be filed regarding the settlement by both the parties.
6. Vakalatnama and Affidavits are not properly scrutinized. The Registry is directed to take necessary steps in this regard.
7. The Registry is directed issue notice to RoC, West Bengal by way of speed post and by e-mail and place the tracking information report on record.
8. List this matter on **24.09.2025**.

Cheekati Radha Krishna
Member (Judicial)