



IN THE NATIONAL COMPANY LAW TRIBUNAL, AHMEDABAD
COURT - 2

Item No.239 - CP/22(AHM)2022
with

Item No.240 – IA/61(AHM)2022

Item No.241 – IA/79(AHM)2022

Item No.242 – IA/36(AHM)2023

Proceedings under Sections 241-242 of Co. Act, 2013

IN THE MATTER OF:

Iqbal singh Jagdish singh Saluja & Anr

V/s

Sahiba Limited & Ors

.....Applicants

.....Respondents

Order delivered on 17/07/2023

Coram:

Mr. Shammi Khan, Hon'ble Member(J)

Mr. Ajai Das Mehrotra, Hon'ble Member(T)

PRESENT:

For the Applicant : Mr. Navin Pahwa, Sr. Advocate along with
Mr. Parth Contractor and Mr. Pranjali Buch, Advocates.

For the Respondent : Mr. Dhiren Dave, Advocate for Respondents
No. 2 to 5.

ORDER

IA/61(AHM)2022

1. This application is filed by applicant, viz., Mr. Amandip Singh Kuldeep Singh Saluja, under Rule 11 of NCLT Rules.
2. The prayer-A was seeking directions to the parties to seek mediation. The parties had submitted themselves to mediation, as recorded in order dated 09.09.2022. Therefore, this prayer does not survive.
3. The prayer-B in this IA was to direct the parties to operate the bank accounts of Respondent No.1 company in the manner as mentioned in Para-IV (14) of the petition. Vide order dated 12.07.2023, we have directed that the bank



accounts will be jointly operated with at least two signatures, one from the side of the petitioner, and one from the side of the Respondents 2 to 5 as stated in para-8 of the said order, and thus, nothing survives regarding this prayer.

4. Since both the prayers in IA/61(AHM) 2022 have been addressed to, nothing survives. Hence, IA/61(AHM)2022 stands disposed of.

IA/799(AHM)2022

This application to be considered along with the main CP, i.e. CP/22(AHM)2022.

IA/36 (AHM) 2022

1. Ld. Counsel, Mr. Dhiren Dave appearing for Respondents No. 2 to 5 states that para-4 of order dated 12.07.2023 has not been complied with.
2. In para-4 of the order dated 12.07.2023, we have directed the Respondents 2 to 5 to submit the documents regarding quorum, attendance sheet, the minutes of meeting of the board of directors held on 20.06.2023, and analysed bank account as evidence of siphoning of funds. He states that the said documents will be filed within one day.
3. Ld. Sr. Counsel Mr. Navin Pahwa and Ld. Counsel Mr. Parth Contractor appearing for the applicants stated that they have come to know that some videos are available on social media, wherein claim has been made that the trademarks of the company are now belonging to Respondents No.2 to 5.
4. At this stage, Ld. Counsel, Mr. Dave for Respondents No. 2 to 5 stated that he is making a statement, under instruction, that the interim order of this Hon'ble Tribunal given in para-9 of the order dated 12.07.2023 is being fully complied by Respondents No. 1 to 5 and that no advertisement/video, etc., has been issued after 12.07.2023. He further submits that he has received rejoinder of the applicants and requests time to go through the same and for filing additional affidavit. Further, he requests to adjourn the matter to 26.07.2023.



5. Ld. Counsel for the applicants stated that notices have been served to Respondents 6 to 9 as directed in the order dated 12.07.2023. He further stated that service affidavit has been uploaded in the e-portal and physical copy will be filed within one day.
6. Interim Relief to continue till the next date of hearing.
7. List for hearing on 26.07.2023

-SD-

AJAI DAS MEHROTRA
MEMBER (TECHNICAL)

-SD-

SHAMMI KHAN
MEMBER (JUDICIAL)

Sudha