

**IN THE NATIONAL COMPANY LAW TRIBUNAL
PRINCIPAL BENCH AT NEW DELHI
Transfer Petition. No. 12(PB) 2021**

**Order under section 16(d) read with rule 11 of the National
Company Law Tribunal Rules, 2016**

In the matter of:

M/s. The Hamlin Trust & Ors.

.... **Applicant**

Vs.

M/s. Rattan India Finance Private Limited & Ors. **Respondent**

Order delivered on: 12.08.2021

CORAM

**SH. BHASKARA PANTULA MOHAN
HON'BLE ACTG. PRESIDENT**

PRESENT

For the Applicant: Mr. P. Nagesh, Senior Advocate &
Mr. Vijaya Singh, Advocate

TP No. 12(PB)/2021

Sd-

ORDER

PER- BHASKARA PANTULA MOHAN, ACTG. PRESIDENT

1. It is a Transfer Petition filed u/r 16 (d) of the NCLT Rules, 2016 for transfer of Company Petition (CP-92(ND)2021) filed by the Applicant against the M/s. Rattan India Finance Private Limited & Others, was wrongly listed, and pending before the Bench- VI of NCLT, Delhi. The counsel of the Applicant in this application praying for the withdrawal and transfer of CP-92/2021 from the Bench-IV to the Bench-III of NCLT, Delhi. It is further submitted by the learned counsel of the Applicant, that the Company Petition having (CP-76(ND)/2021) is filed by the M/s. LSF 10 Rose Investments S.a.r.l against the Respondent No. 1 namely M/s. Rattan India Finance Private Limited & Others, is already pending for the adjudication before the Bench-III of NCLT, Delhi.
2. The ground urged by the applicant for transfer of CP 92/2021 pending before the Bench-VI to Bench-III is, both the petitions are filed under Section 241-242 of Companies Act, 2013 for the issues pertaining to oppression and mismanagement, by the same applicants against the same group of companies and are required to be heard by the same bench for the sake of effective adjudication of the issues relating to each other.

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3. It is further submitted by counsel of the Applicant in relation to the aforesaid prayer for transfer of the CP 92/2021 from the Bench- IV to Bench-III of the New Delhi, will not cause any prejudice to the respondents and the respondents have not raised any objections against the same.
4. However, on the perusal of submissions made by the counsel for the Applicant, it appears that present issue with respect to the transfer of CP 92/2021 from Bench-IV to the Bench-III of the NCLT Delhi, on the ground of connecting matters to be heard together by the same bench will not cause any prejudice to the parties, as a matter of fact, it will provide transparency for the effective adjudication to the pending petitions.
5. Therefore, this bench is of the view that, the CP 92/2021 is not required to be withdrawn and hereby directed to be transfer from Bench-IV to the Bench-III, New Delhi, where CP 76-2021 is already pending.

Accordingly, this transfer petition is hereby disposed of.

Let a copy of order be served to parties.


(BHASKARA PANTULA MOHAN)
ACTG. PRESIDENT