

**BEFORE THE NATIONAL COMPANY LAW TRIBUNAL  
NEW DELHI BENCH  
CA 07/2016 in CP 93(ND)/2016**

**Present: B.S.V. Prakash Kumar, Member (Judicial)**

In the matter of:

Companies Act, 2013 Sections 58, 59, 241, 242, 244

And

In the matter of:

**Mr. Anil Dhiman & ARS.**

.....Petitioners

Versus

**M/s Anand Airvent Pvt. Ltd. & Ors**

.....Respondents

Present: The Counsel for Petitioners : Mr. P.K. Mittal, Mr. Ashutosh Gupta, Advocates

The Counsel for Respondents : Mr. Arun Saxena, Ms Nalini and Ms Anushri Singh, Advocates  
(R2 to R4)

**Order**

**(Heard & Pronounced on 17-6-2016)**

The petitioners and R2toR4 filed joint application for appointment of an eminent Valuer for the valuation of the shares of the company M/s Anand Airvent Pvt. Ltd. and M/s A.D.S. Engineering Pvt. Ltd. on the ground that both the parties agreed with the respondents exiting from the company on consideration to the shares held by the respondents in these two companies.

2. In view of this compromise entered between the petitioner and Respondents No. 2 to 4, this Bench hereby appoints Mr. C.L. Golcha & Associates, A92C, GF, Namberdar Estate Taimoor Nagar, Opp. New Friends Colony, New Delhi (Mob. 9899925654) as Chartered Accountants to value the shareholding of these two companies, taking 31<sup>st</sup> March 2016 as cut off date for valuation of the shares within two months hereof. The parties shall pay remuneration to the Valuer commensurate to their shareholding in these companies. The parties submit, the

shareholding of the petitioners and respondents in these two companies is as below:

**(a) Shareholding in Anand Airvent Pvt. Ltd. as on 29.9.2015:**

S. No	Petitioners Group	No. of shares	Percentage of shareholding
1	Anil Dhiman	13500	45%
2	Sushma Dhiman	1000	3.33%
	Total(A)	14500	48.33%

S. No	Name of Shareholders Respondents group	No. of shares	Percentage of shareholding
1	Anand Khanna	11500	38.33%
2	Meenu Khanna	2000	6.66%
3.	Usha Khanna	1000	3.33%
4.	R.K. Khanna	1000	3.33%
	Total (B)	15500	51.66%

<b>GRAND TOTAL</b>	<b>30000</b>	<b>100.00</b>
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**(b) Shareholding in A.D.S. Engineering Pvt. Ltd. as on 29.09.2015**

S. No	Petitioners Group	No. of shares	Percentage of shareholding
1	Anil Dhiman	9000	16.82%
2	Sushma Dhiman	29200	54.57%
	Total (A)	38200	71.40%

S. No	Name of Shareholders Respondents group	No. of shares	Percentage of shareholding
1	Anand Khanna	5000	9.34%
2	Meenu Khanna	1100	2.05%
3.	Usha Khanna	6200	11.58%

4.	R.K. Khanna	3000	5.60%
	Total (B)	15300	28.60

<b>GRAND TOTAL</b>	<b>53500</b>	<b>100.00</b>
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3. After valuation of the shares of these two companies, the aforementioned Chartered Accountant shall supply copy of the Valuation Report to the petitioner and respondents as well before filing the same before this Bench.
4. For having both the parties agreed for release of securities given in A.B.S. Engineering Pvt. Ltd within two months hereof.
5. Accordingly, this application is allowed and the Company Petition is hereby disposed of giving liberty to either side in case consideration to the valuation is not paid to the respondents within one month after the Valuer placed his report before this Bench.

Accordingly, this Company Petition is hereby disposed of.

Sd/-

**(B.S.V. PRAKASH KUMAR)**  
Member (Judicial)