

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

Company Appeal (AT) No. 242 of 2026

IN THE MATTER OF:

Ramesh Chandra Sabat & Ors.

...Appellants

Versus

Hotel Moti Pvt. Ltd. & Ors.

...Respondents

Present:

**For Appellants : Mr. Srisatya Mohanty, Ms. Sakshi Mittal,
Mr. Jyotiraditya Roychowdhury, Advocates.**

For Respondents : Mr. Jay Nirupam, Advocate.

O R D E R
(Hybrid Mode)

30.09.2026: A very short issue that is subject matter of consideration in the instant company appeal is qua the interplay of the effect of Order 22 Rule 3 & 4 of the Code of Civil Procedure to be read with Order 22 Rule 9 of Code of Civil Procedure.

2. We have issued notices to the respondents on 01.07.2026. The respondent had put in appearance on 17.08.2026, but the counter has not yet been filed. Learned counsel for the respondents prays for and is granted two weeks' time by way of the last opportunity to file the counter affidavit. Lest failing, we will be constrained to consider the appeal on its own merits.

3. List this company appeal 'for orders' on **27.10.2026**.

[Justice Sharad Kumar Sharma]
Member (Judicial)

[Mr. Arun Baroka]
Member (Technical)

[Mr. Indavar Pandey]
Member (Technical)