

Establishment of National Company Law Tribunal (NCLT) and National Company Law Appellate Tribunal (NCLAT)- 20.06.2016

- This has reference to the Hon'ble Company Law Board (CLB), which has been abolished under the Notification dated 1st June 2016, of the Ministry of Corporate Affairs and establishment of the National Company Law Tribunal (NCLT) and National Company Law Appellate Tribunal (NCLAT).
- All matters from the erstwhile CLB now stand transferred to the NCLT. There is as on date, no notification transferring the cases from the High Court (such as Amalgamation, Mergers, Reduction of Capital and Winding Up etc.) to the NCLT or NCLAT.
- In our opinion, the matters pending before the erstwhile CLB (Principal Bench and Delhi Bench), which are from jurisdictions other than Delhi, Rajasthan and Haryana, may be heard de novo, before the new Bench and new members, now constituted in various jurisdictions.
- However, it is yet not clear as to whether the matters in which final Order has been reserved will be reheard or not. The Hon'ble President of the NCLT may take a view in this regard, after the vacations i.e. 1st July 2016.

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- The jurisdiction of the benches is as follows:

Principal Bench – Haryana, Rajasthan and Delhi.			
New Delhi –	Haryana, Rajasthan and Delhi.	Mumbai –	Chhattisgarh, Maharashtra and Goa
Kolkata –	Bihar, Jharkhand, Odisha, West Bengal, Andaman & Nicobar Islands.	Chennai –	Kerala, Tamil Nadu, Lakshadweep and Puducherry.
Chandigarh –	Himachal Pradesh, Jammu & Kashmir, Punjab and Chandigarh.	Bengaluru –	Karnataka
Hyderabad –	Andhra Pradesh and Telangana.	Allahabad –	Uttar Pradesh and Uttarakhand.
Ahmedabad –	Gujarat, Madhya Pradesh, Dadra & Nagar Haveli and Daman & Diu.	Guwahati –	Arunachal Pradesh, Assam, Manipur, Mizoram, Meghalaya, Nagaland, Sikkim, Tripura.

- Please note that the Hon'ble NCLT is on vacation from 6th June 2016 until 1st July 2016. No cases shall be heard between 20th June 2016 and 1st July 2016, unless a Bench is specifically constituted as a vacation Bench by the Hon'ble President of the NCLT.
- More clarity shall be possible once the NCLT and NCLAT are up and running after 1.7.2016. We will do our best to keep you informed.

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