

IN THE NATIONAL COMPANY LAW TRIBUNAL
CHANDIGARH (COURT – II)
(Through Hybrid Mode)

Item No. 105

CP (CAA) No. 22/Chd/Chd/2023
(2nd Motion)

IN THE MATTER OF:

Chandigarh Distillers and Services Pvt. Ltd. ... Transferor Company

And

Bihar Distillers and Bottlers Pvt. Ltd. ... Transferee Company

Under Section: 230-232 CA 2013

Order delivered on 14.06.2024

CORAM:

**SHRI. L. N. GUPTA,
HON'BLE MEMBER (T)**

**SHRI. P.S.N. PRASAD,
HON'BLE MEMBER (J)**

PRESENT:

For the Petitioner : Mr. Rahul Jogi, Advocate

For the RD : Mr. Vineet Khatri, Company Prosecutor

ORDER

1. Learned counsel for the petitioner is present and submitted that affidavit confirming non-receipt of any objection for the scheme of amalgamation pursuant to the newspaper publication is submitted filed vide diary No.02000/9 dated 07.06.2024. The same is taken on record.

2. Affidavit confirming that assessment appeal is pending against the Income Tax Assessment order for the Assessment Year, 2018-19 before the Hon'ble High Court of Punjab and Haryana in respect of petitioner No.1 and as far as petitioner No.2 is concerned no litigation is pending. The said affidavit filed vide diary No.02000/7 dated 08.04.2024 is taken on record.

3. Learned counsel for the petitioner is directed to once again send a copy of the petition along with both the companies Pan details to the Income Tax Department as the report from the Income Tax Department is not yet reflected on the e-portal of the Tribunal.
4. Income Tax Department is directed to take steps on war footing basis for furnishing their report.
5. Let this matter be posted on 23.08.2024 for further consideration.

Sd/-
(L. N. GUPTA)
HON'BLE MEMBER (T)

Sd/-
(DR. P.S.N. PRASAD)
HON'BLE MEMBER (J)