

IN THE NATIONAL COMPANY LAW TRIBUNAL: CHANDIGARH
(through Hybrid Mode)
COURT-I

Item No. 11

C.P. No. 6/Chd/Chd/2023

IN THE MATTER OF:

Co. (Retd.) V.K. Saraf & Anr.

...Petitioners

Vs.

RoC, Jalandhar

...Respondent

Under Section: 271(e), CA 2013

Order delivered on 14.06.2024

CORAM:

SH. L. N. GUPTA
HON'BLE MEMBER (T)

SH. HARNAM SINGH THAKUR
HON'BLE MEMBER (J)

PRESENT:

For the Petitioner : Mr. Nikhil Saraf, Advocate

For the RoC : Mr. Vineet Khatri, Company Prosecutor

ORDER

A date is requested by learned counsel for the petitioner to assist on the point that if the board resolution is not signed by one of the Directors can be treated as a special resolution under Section 271(a) or not. It is submitted by learned counsel for the petitioner that the Company is non-functional since 2010 and thus, learned Company Prosecutor is directed to check whether the special resolution filed by the applicant is the valid one in the eyes of law and to check whether the name of the company is already struck off or in the process of striking off or not. Let the same be done within two weeks. List the matter on 26.07.2024.

-sd-
(L. N. GUPTA)
MEMBER (T)

-sd-
(HARNAM SINGH THAKUR)
MEMBER (J)

SM