

SPECIAL BENCH

ITEM NO.135

**NATIONAL COMPANY LAW TRIBUNAL
ALLAHABAD BENCH
PRAYAGRAJ**

CP (CAA) No.23/ALD/2023 IN CA (CAA) No.29/ALD/2023
(Second Motion)

CORAM:

- 1. SHRI MANNI SANKARIAH SHANMUGA SUNDARAM,
HON'BLE MEMBER (JUDICIAL)**
- 2. SHRI ASHISH VERMA,
HON'BLE MEMBER (TECHNICAL)**

Date of Order: 18th July, 2024

Attendance-Cum-Order Sheet of the Hearing.

NAME OF THE COMPANY	BABAJI AGRO MART PVT. LTD. WITH FREDDY FOODS PVT. LTD.
UNDER SECTION	230/ 232 OF COMPANIES ACT, 2013

COUNSEL APPEARED THROUGH PHYSICAL/ VIRTUAL HEARING:

Sh. Kartikeya Goel, Adv. : *For the Petitioner*
Sh. Krishna Dev Vyas, Adv. : *For the ROC*
Sh. Gaurav Mahajan, Sr. S.C. : *For the I.T. Deptt.*
Sh. Ajit Kumar Singh, AOL : *For the O.L. Alld.*

ORDER

- 1.** Ld. Assistant Official Liquidator informs that despite making efforts twice serving a letter to all the nine applicant companies, the letters have been received back unserved, which create serious doubt about the genuine existence of these companies. Therefore, the Ld. Counsel representing the Income Tax Department has been asked to convey the Income Tax Department for getting the necessary inquiry made about the genuine existence of these companies and file a report before the Tribunal through the Principal Commissioner, Income Tax Department of the concerned jurisdiction.
- 2.** It has also been noted that out of nine companies, the reports of Income Tax Department are directly received with respect to five companies. Therefore, the Ld. Counsel representing the Income Tax Department has been asked to file a complete report for all nine companies through the Principal Commissioner of the concerned jurisdiction.

-Sd-

-1/2-

-Sd-

3. Let the matter be adjourned for further hearing before the Regular Bench on 5th September, 2024.
4. In the meantime, the Official Liquidator is directed to file the report in a sealed cover along with an affidavit before this Tribunal.

-Sd-
(Ashish Verma)
Member (Technical)

-Sd-
(Manni Sankariah Shanmuga Sundaram)
Member (Judicial)

18th July, 2024

Kavya Prakash Srivastava
(Stenographer)