

**IN THE NATIONAL COMPANY LAW TRIBUNAL**  
**AHMEDABAD**  
**SPECIAL BENCH**  
**COURT - 1**

ITEM No.1  
Appeal/9(AHM)2024

**Proceedings under Section 252**

**IN THE MATTER OF:**

Department of Income Tax, Navsari  
V/s  
S.N. Organics Pvt. Ltd & Ors

.....Applicant

.....Respondent

**Order delivered on: 25/07/2024**

**Coram:**

Mr. Praveen Gupta, Hon'ble Member(J)  
Mr. Sameer Kakar, Hon'ble Member(T)

**PRESENT:**

For the Applicant : Ms. Kinjal Vyas, Adv.  
For the Respondent :

**ORDER**  
**(Hybrid Mode)**

Ms. Kinjal Vyas, Ld. Counsel appears on behalf of the Applicant.

This is an appeal filed under Section 252 of the Companies Act, 2013 with following prayers:-

- (a) *That this Hon'ble Tribunal may be pleased to set aside the order dated 08.11.2019 and notification in Official Gazette of India passed/issued by the Registrar of Companies, Ahmedabad and thereby striking off the name of the S. N. Organics Private Limited from the Registrar of Companies; and*
- (b) *That this Hon'ble Tribunal may be pleased to order the Registrar of Companies, Ahmedabad to restore the name of the S. N. Organics Private Limited to the Registrar of Companies; and*
- (c) *That this Hon'ble Tribunal may be pleased to allow the Department of Income Tax to carry out penalty proceedings u/s. 271(1)(c) of the Act.*

OR

*That this Hon'ble Tribunal may be pleased to allow the Department of Income Tax to recover its outstanding dues pertaining to the Company.*

(d) *That this Hon'ble Tribunal may be pleased to pass any other or further orders as deemed fit in the interest of justice.*

We have heard the Learned Counsel for the Applicant and perused the record.

Let notices be issued to the Respondents returnable on next date. The applicant is directed to collect the notices from the registry within three days and serve upon the Respondents along with copy of this order through Registered Ad post, Speed-post, Dasti mode as well as paper book on the registered email ID within seven days from the date of this order. The Respondents are directed to reply within a week from the date of receipt of notice. Rejoinder, if any, be filed thereafter before the next date.

Proof of Service be filed by way of an affidavit before the next date of hearing.

List for report of RoC and reply from the Respondents.

Re-list the matter on 05.09.2024.

-sd-

**SAMEER KAKAR**  
**MEMBER (TECHNICAL)**

-sd-

**PRAVEEN GUPTA**  
**MEMBER (JUDICIAL)**

**IN THE NATIONAL COMPANY LAW TRIBUNAL**  
**AHMEDABAD**  
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**COURT - 1**

ITEM No.2  
CP/27(AHM)2024

**Proceedings under Section 424 r/w Rule 56**

**IN THE MATTER OF:**

Artha Energy Resources LLP  
V/S  
Tecso Projects Limited

.....Applicant

.....Respondent

**Order delivered on: 25/07/2024**

**Coram:**

Mr. Praveen Gupta, Hon'ble Member(J)  
Mr. Sameer Kakar, Hon'ble Member(T)

**PRESENT:**

For the Applicant :Mr. Vishal Raval, Advocate  
For the Respondent :

**ORDER**  
**(Hybrid Mode)**

This is an application filed under Section 424 (3) of Companies Act, 2013 r. w. Rule 56 of NCLT Rules, 2016. Learned Counsel, Mr. Vishal Raval appears on behalf of the Applicant states that vide an order dated 26.08.2019 in C.P.(IB) 121/9/NCLT/AHM/2018 was dismissed as withdrawn in terms of the agreement of declaration dated 22.08.2019 entered between the parties. Subsequent, to the said agreement the Corporate Debtor failed to honour the agreement between the parties. This is the execution petition filed before this Tribunal.

We have preliminarily heard the learned counsel for the applicant. We direct the learned counsel to file judicial precedents, if any, within a period of ten days from the date of this order.

Re-list this matter for hearing on maintainability on 28.08.2024.

-sd-

**SAMEER KAKAR**  
**MEMBER (TECHNICAL)**

-sd-

**PRAVEEN GUPTA**  
**MEMBER (JUDICIAL)**

**IN THE NATIONAL COMPANY LAW TRIBUNAL**  
**AHMEDABAD**  
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**COURT - 1**

ITEM No.3 – CP/29(AHM)2024  
With  
ITEM No.4 – Caveat/15 of 2024

**Proceedings under Section 241-242**

**IN THE MATTER OF:**

Suchita Pinkesh Malaviya & Ors

.....Applicant

V/s

D Marrs Paints India Pvt. Ltd & Ors

.....Respondent

**Order delivered on: 25/07/2024**

**Coram:**

Mr. Praveen Gupta, Hon'ble Member(J)

Mr. Sameer Kakar, Hon'ble Member(T)

**PRESENT:**

For the Applicant : None

For the Respondent :

For the Caveator : None

**ORDER**  
**(Hybrid Mode)**

**CP/29(AHM)2024**

None appears on behalf of the Applicant.

Registry reports that hard copy of this application has not been received.

The Applicant is directed to file the hard copy within the period of 03 days from the date of this order, failing which, the matter will be dismissed.

Re-list for hearing on 08.08.2024.

**Caveat/15 of 2024**

Re-list the caveat application along with the main application on 08.08.2024.

-sd-

**SAMEER KAKAR**  
**MEMBER (TECHNICAL)**

-sd-

**PRAVEEN GUPTA**  
**MEMBER (JUDICIAL)**

**IN THE NATIONAL COMPANY LAW TRIBUNAL**  
**AHMEDABAD**  
**SPECIAL BENCH**  
**COURT - 1**

ITEM No.5  
CP/31(AHM)2024

**Proceedings under Section 241-242**

**IN THE MATTER OF:**

Jay Vadan Patel through POA Holder Kamlesh Kumar  
Ramabhai Patel  
V/S  
Adison Gramito Pvt. Ltd & Ors

.....Applicant

.....Respondent

**Order delivered on: 25/07/2024**

**Coram:**

Mr. Praveen Gupta, Hon'ble Member(J)  
Mr. Sameer Kakar, Hon'ble Member(T)

**PRESENT:**

For the Applicant : Mr. Rushabh M. Shah, PCS  
For the Respondent : None

**ORDER**  
**(Hybrid Mode)**

Mr. Rushabh M. Shah, PCS appears on behalf of the Applicant.

None appears on behalf of the Respondents.

This is an application filed under Section 241-242 of the Companies Act, 2013 for oppression and mismanagement.

The Applicant states that they have not received the notice of the various general meetings of the R-1 Company.

At this stage, we deem it appropriate to issue notice to R-1 to R-5.

Let notices be issued to the Respondents returnable on next date. The applicant is directed to collect the notices from the registry within three days and serve upon the Respondents along with copy of this order through Registered Ad post, Speed-post, Dasti mode as well as paper book on the registered email ID within seven days from the date of this order. The Respondents are directed to reply within a week from the date of receipt of notice. Rejoinder, if any, be filed thereafter before the next date.

Proof of Service be filed by way of an affidavit before the next date of hearing.

Re-list the matter on 22.08.2024.

-sd-

**SAMEER KAKAR**  
**MEMBER (TECHNICAL)**

-sd-

**PRAVEEN GUPTA**  
**MEMBER (JUDICIAL)**

**IN THE NATIONAL COMPANY LAW TRIBUNAL**  
**AHMEDABAD**  
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**COURT - 1**

ITEM No.6 – Comp.Appl/15(AHM)2024  
ITEM No.7 – Comp.Appl/16(AHM)2024  
ITEM No.8 – IA(Co.Act)/69(AHM)2024  
In  
TP/9(AHM)2022 in CP 174 of 2012

**Proceedings under Section 7 IBC**

**IN THE MATTER OF:**

Ashvinkumar Chandulal Shah

.....Applicant

V/s

Desh Cam Technological Resources Pvt Ltd

.....Respondent

**Order delivered on: 25/07/2024**

**Coram:**

Mr. Praveen Gupta, Hon'ble Member(J)

Mr. Sameer Kakar, Hon'ble Member(T)

**PRESENT:**

For the Applicant : Ms. Noopur K. Dalal, Adv.

Mr. Parshwa Shah, CS

For the Respondent : Mr. Ankit Pitti, CA for R-1, R-3 and R-4

**ORDER**  
**(Hybrid Mode)**

**Comp.Appl/15(AHM)2024**

1. This is an application filed under Section 19(2) of the Insolvency and Bankruptcy Code, 2016. It is stated that the Corporate Debtor was admitted to CIRP vide order dated 04.06.2024 of this Tribunal. Thereafter, the RP tried to take possession of the Corporate Debtor and has taken several steps in the CIRP of the Corporate Debtor.
2. Following reliefs have been sought in the present application:
  - a) *Your Lordship may be pleased to allow the present application;*
  - b) *Your Lordship may be pleased to direct the Respondent No. 01 to 04 to extend all assistance and cooperation to RP as may be required by him in managing the affairs of the Corporate Debtor and more specifically cooperation in providing the necessary information and documents of the Corporate Debtor as listed out in "Annexure E" to the RP for performing his duties diligently;*

- c) *Your Lordship may be pleased to direct the Respondent No. 05 to extend all assistance and cooperation to RP as may be required by him in managing the affairs of the Corporate Debtor and more specifically cooperation in providing the necessary information and documents of the Corporate Debtor and conducting Audit of the Corporate Debtor for the current Financial year;*
- d) *Your Lordship may be pleased to direct Respondent No. 06 lessee i.e. Flowman Metrix Private Limited to directly pay lease amount of the property of the Corporate Debtor (Address: Plot No.122/4,5,6&127, Village Kalol, Dist Panchmahal) directly into the bank account opened by the applicant specifically for the Corporate Insolvency Resolution Process (CIRP);*
- e) *Your Lordship may be pleased to grant any other/ further relief(s) as may be deemed fit in the interest of justice.*

3. It is also seen that R-1 to R-3 are the suspended directors whose addresses are mentioned in the memo of parties, but for the R-4 the address is not mentioned. Upon being asked regarding the address of the R-4, Ms. Noopur Dalal, Ld. Counsel for the Applicant states that the address is not available with them and neither at the MCA website.
4. At this stage, Mr. Ankit Pitti, CA appears on behalf of R-1 and R-3 and states that he is in the process of filing his memorandum of appearance.
5. Further, Mr. Ankit Pitti, states that the suspended directors are willing to cooperate with the RP and provide most of the details being asked in the present application.
6. We direct Mr. Ankit Pitti, CA to obtain the address of R-4 and provide the same to the Ld. Counsel for the Applicant by end of the day today through e-mail.
7. At this stage, Ms. Nupoor Dalal, Ld. Counsel for the Applicant states that R-6 is the lessee to whom the land of the Corporate Debtor has been leased out. Post filing of this application, R-6 has started cooperating with the RP and she wishes to drop R-6 from the memo of parties.
8. Let necessary steps be taken by the RP in this regard.
9. Since Mr. Ankit Pitti, CA has appeared today for R-1 and R-3, he waives notice since he has already received the copy of the application.
10. Reply of R-1 and R-3 be filed within a period of 07 days from the date of this order.