

**NATIONAL COMPANY LAW TRIBUNAL
DIVISION BENCH, COURT – II
CHENNAI**

ATTENDANCE CUM ORDER SHEET OF THE HEARING OF NATIONAL COMPANY LAW TRIBUNAL, CHENNAI BENCH, HELD ON 03-05-2024 AT 10.30 A.M. THROUGH VIDEO CONFERENCING:

**PRESENT : SHRI. JYOTI KUMAR TRIPATHI, HON'BLE MEMBER (JUDICIAL)
SHRI. RAVICHANDRAN RAMASAMY, HON'BLE MEMBER (TECHNICAL)**

APPLICATION NUMBER : --

PETITION NUMBER : CA(CAA)/18/2024

NAME OF THE PETITIONER : Udaya FM Pvt Ltd

NAME OF THE RESPONDENT(S) : --

UNDER SECTION : Sec 230-232 of CA, 2013

ORDER

Ms. Swetha Subramaniam, Ld. Counsel for the Applicant.

The Applicant is directed to file the documents rectifying the below issues by way of affidavit in two weeks.

1. Audited financial statements as on 31.03.2023 is without Auditor and directors signatures - in respect of both transferor and transferee.
2. Independent Auditor Certificate of the M/s Udaya FM Pvt Ltd in respect of Sec 133 is not available.
3. In respect of M/s Udaya FM Pvt Ltd
 - . Consent Affidavit of all equity shareholder lacks deponent signature in Stamp Paper.
 - . Certificate has not been issued by the Chartered Accountant in respect of Nil Preference shareholders.

(Contd...2)

4. In respect of M/s. KAL RADIO LIMITED

- . Consent Affidavit of all equity shareholder lacks deponent signature in Stamp Paper.
- . Consent Affidavit of preference shareholder lacks deponent signature in Stamp Paper.
- . Consent Affidavit of unsecured creditor lacks deponent signature in Stamp Paper and there is no board authorisation document authorizing signatory in respect of the unsecured creditor company to sign consent affidavit.

Counsel should ensure that the stamp paper and all annexed papers, documents are properly signed by the deponent while submitting affidavits. Affidavits without deponent signature on the stamp paper would question the legality of the affidavit itself.

Applicant is ordered to file all the affidavits, afresh in proper manner in this matter.

Case is posted for hearing on **30.05.2024**.

-SD-

RAVICHANDRAN RAMASAMY
Member (Technical)

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-SD-

JYOTI KUMAR TRIPATHI
Member (Judicial)

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DIVISION BENCH, COURT – II
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**PRESENT : SHRI. JYOTI KUMAR TRIPATHI, HON'BLE MEMBER (JUDICIAL)
SHRI. RAVICHANDRAN RAMASAMY, HON'BLE MEMBER (TECHNICAL)**

APPLICATION NUMBER : --

PETITION NUMBER : CP/162(CHE)2022

NAME OF THE PETITIONER : Income Tax Officer

NAME OF THE RESPONDENT(S) : Roc, Chennai

UNDER SECTION : Sec 252(1) of CA, 2013

ORDER

Mr. Gajendran Ravi, Ld. Counsel for the Petitioner.

It is observed from the records, the Petitioner has failed to give primary service of application and notice to the newly impleaded Respondents in this matter.

The Petitioner is directed to serve copies of application and notice of hearing to the Respondent and file Affidavit of Service to that effect.

Case is posted for reporting compliance on **06.06.2024**.

-SD-

RAVICHANDRAN RAMASAMY
Member (Technical)

-SD-

JYOTI KUMAR TRIPATHI
Member (Judicial)