

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

Item No. 130

CA No. 73/2024
And
Company Appeal No. 1/Chd/J&K/2024

IN THE MATTER OF:

Syed Faheem Khurshid

...Petitioner

Vs.

ROC

...Respondent

Under Section: 252(1), CA 2013, Rule 11 NCLT

Order delivered on 17.04.2024

CORAM:

SH. UMESH KUMAR SHUKLA
HON'BLE MEMBER (T)

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

PRESENT:

For the Appellant : Ms. Alisha, Advocate
Mr. Abhishek Aggarwal, Advocate

For the RoC : Mr. Rajkumar Kaul, JTA for RoC

ORDER

In view of the Resolution of the Bar dated 16.04.2024, the Members of the Bar have abstained from Court work today.

Affidavit of service has been filed vide Diary No. 27.02.2024. Similarly report of RoC received by way of post has been filed vide Diary No. 715 dated 04.03.2024. The same are taken on record. It is stated on behalf of the RoC and so mentioned in Para No. 5.2 of the report that RoC has no objections if the name of the petitioner company is

restored in the Register of Companies as maintained by the RoC under the provisions of Companies Act subject to filing of all the pending documents along with requisite fee and additional fee as per Rules by the petitioner company and its directors.

However, it is seen that in the Affidavit of service to the Income Tax Officer, Ward No. 1, Clause 4(4), Srinagar, the postal receipt is not appended as well as no tracking report has been appended to show that notice was served upon them. Therefore, learned counsel for the petitioner company is directed to serve the said notice again upon the Income Tax Officer, Ward No. 1, Clause 4(4), Srinagar as mentioned above within two weeks and file postal receipt along with tracking report and affidavit to the effect that notice has been served upon him. In case, the notice is served, Income Tax Department is directed to file its report within two weeks with a copy in advance to the counsel opposite. It would be the last opportunity. List the matter on 28.05.2024

-sd-
(UMESH KUMAR SHUKLA)
MEMBER (T)

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

SM