

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

Item No. 103

Company Appeal No. 9/Chd/Chd/2023

IN THE MATTER OF:

Dy. Commissioner of Income Tax

...Petitioner

Vs.

Registrar of Companies

...Respondent

Under Section: 252(1), CA 2013

Order delivered on 16.02.2024

CORAM:

SH. SUBRATA KUMAR DASH
HON'BLE MEMBER (T)

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

PRESENT:

For the Income Tax Dept.

: Mr. Yogesh Putney, Senior Standing
Counsel

For the ROC/RD

: Mr. Vineet Khatri, Company prosecutor

ORDER

Short note has been filed vide Diary No. 01095/5 dated 16.02.2024. The same is taken on record. It is stated by learned counsel for the applicant/Income Tax Department that inadvertently, the present appeal was filed under Section 252(1) whereas it should have been filed under Section 252(3). A date is requested by the learned counsel for the Income Tax Department to amend the present application along with interim relief for completion of the pending assessment proceedings. Same be done within one week.

Heard. Issue notice of this petition to the respondents. The petitioner shall collect the notices from the Registry and send the same to the respondents with a copy of the petition and entire paper book immediately by speed post and e-mail, if available and file affidavit of service along with postal receipt, copy of e-mail and tracking report within two weeks.

Mr. Vineet Khatri, Company Prosecutor is present on behalf of the ROC/RD and accepts notice on behalf of the ROC/RD and seeks time to file response.

Reports, if any, be filed by the remaining respondents within one weeks after receipt of notice with a copy in advance to the counsel opposite and response thereto, if any, be filed one week thereafter with a copy in advance to the counsel opposite.

List on 01.03.2024.

Dasti notice be given.

Sd/-
(SUBRATA KUMAR DASH)
MEMBER (T)

Tanvi

Sd/-
(HARNAM SINGH THAKUR)
MEMBER (J)