

IN THE NATIONAL COMPANY LAW TRIBUNAL, NEW DELHI
COURT-III (Special Bench)

Item No.335
CAA-15(ND)/2022

IN THE MATTER OF:

M/s. PLG Construction Pvt. Ltd.(PCPL) and M/s. PLG Securities Pvt. Ltd.(PSPL)
.... **APPLICANT/PETITIONER**

SECTION

U/s 230-232

Order delivered on 10.03.2023

CORAM:

SHRI BACHU VENKAT BALARAM DAS, HON'BLE MEMBER (JUDICIAL)

SHRI RAHUL BHATNAGAR, HON'BLE MEMBER (TECHNICAL)

PRESENT:

For the Applicant : Ms. Arveena Sharma, Advocate for Applicant
Companies
For the OL : Ms. Hemlata Rawat Counsel for OL
For the RD : Ms. Niharika Tanwar, Counsel for RD

ORDER

We have heard the submissions of Ms. Arveena Sharma, Ld. Counsel appearing for the Applicant. She submitted that the First Motion petition was allowed on 09.11.2021. The order dated 09.11.2021 was complied by the Applicant on 17.11.2021, wherein this Tribunal directed the Applicant to make the paper publication and also to serve notice on the Statutory Authorities and accordingly an affidavit of service was filed.

The Second Motion application was listed 22.02.2022, this Tribunal granted 45 days to the Statutory Authorities to file their report.

Thereafter on 21.11.2022, this Tribunal directed the Official Liquidator to examine the response submitted by the Applicant within three days. It was also directed that the RD shall examine the reply of the Applicant and file its response within one week. No response was received from the Income Tax

Department. Ms. Arveena Sharma, Ld. Counsel submitted that despite sufficient opportunity being granted to the Authorities no reply or response has been filed. She further submitted that as per Rule 8(3) of Companies (Compromise, Arrangements and Amalgamation) Rules 2016 if the reply is not filed within 30 days of the receipt of notice, it shall be deemed that the Authorities have no objection.

At this stage, Ld. Counsel appearing for the RD sought one week time to file its response.

Ms. Hemlata Rawal, Ld. Counsel appearing for the OL submitted that the Applicant has not submitted the statutory records to the OL. The Ld. Counsel for the Applicant undertakes to do the needful within three days.

The OL is directed to file its response within one week thereafter.

No one has appeared on behalf of the Income Tax Department. The Court Officer is directed to issue e-notice to the Income Tax Department for appearance on the next date of hearing.

List the matter on **27.03.2023**.

Sd/-

(RAHUL BHATNAGAR)
MEMBER (TECHNICAL)

Sd/-

(BACHU VENKAT BALARAM DAS)
MEMBER (JUDICIAL)