

IN THE NATIONAL COMPANY LAW TRIBUNAL: NEW DELHI

COURT-VI

**Item No. 210
CAA-33/ND/2020**

IN THE MATTER OF:

**M/s. Electronic Tender Pvt. With
M/s. Electronic Tender.Com (India) Pvt. Ltd.**

...APPLICANT

Section

Under Section 230-232

**Order delivered on 02.11.2020
(Virtual Hearing)**

Coram:

**SHRI P.S.N. PRASAD, HON'BLE MEMBER (JUDICIAL)
DR. V.K. SUBBURAJ, HON'BLE MEMBER (TECHNICAL)**

**For the Petitioner/Applicant
For the RD/OL**

**:Mr. Mohit Singhal, CS
:Mr. Shankari Mishra, Adv on
behalf of Ms. Tania Sharma, Adv.
:Mr. Sunil Agarwal, Sr. St. counsel
and Mr. Tushar Gupta, Jr. St
counsel**

For the Income Tax Department

ORDER

Heard the submissions made by the authorised representative for the petitioners and counsel for the Income Tax Department. The counsel for the Income Tax Department has submitted that they have no objection to proceed with the matter, subject to their rights for collection of tax dues, if any, in terms of the Supreme Court decision reported in 2015 (16) SCC 629, and proxy counsel for RD and OL has submitted that OL report is already filed in the matter. Counsel for the petitioners are directed to file a short affidavit stating that the scheme proposed by them is in consonance with FEMA regulations relating to cross border transaction within next five days and let the matter be posted to 09.11.2020.

- Sd -

**(V.K. Subburaj)
Member (T)**

- Sd -

**(P.S.N. Prasad)
Member (J)**

(Anjula)