

IN THE NATIONAL COMPANY LAW TRIBUNAL
NEW DELHI BENCH (COURT - II)

Item No. 207
135/271-272/ND/2018

IN THE MATTER OF:
ROC

... Applicant/Petitioner

Versus

M/s. Avail Financial Services Ltd.

... Respondent

Under Section: 271-272

Order delivered on 28.11.2022

CORAM:

**SHRI. BACHU VENKAT BALARAM DAS,
HON'BLE MEMBER (J)**

**SHRI. L.N. GUPTA,
HON'BLE MEMBER (T)**

PRESENT:

For the Applicant : Mr. Kamal Kant Jha, Senior Panel Counsel, Govt of India

For the Respondent : Mr. Kartikeya Singh, Adv.

ORDER

Mr. Kamal Kant Jha Sr. Panel Counsel appearing for the RoC submits that the similar matters are coming up before the Hon'ble NCALT on 02.12.2022. Hence, in view of the same, he seeks adjournment.

Mr. Kartikeya Singh, Ld. Counsel appearing for the Respondent submitted that the RoC has been given adequate opportunity since February, 2022 to produce any order contrary to the view taken by this Tribunal in the matter of RoC Vs. Apoorva Leasing Finance and Investment Co. Ltd. & Anr. However, no such order has been placed before this Authority. We notice that the matter has been adjourned on similar grounds on previous occasions.

In view of the above, the last opportunity is given to the Applicant/RoC to place direction, if any, of any Superior Court, contrary to the order passed by this Tribunal in matter of RoC Vs. Apoorva Leasing Finance and Investment Co. Ltd. & Anr.

List the matter on 13.12.2022.


(L.N. GUPTA)
MEMBER (T)


(BACHU VENKAT BALARAM DAS)
MEMBER (J)