

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

**Item No.206**  
**CP-37/ND/2022**

**IN THE MATTER OF:**

M/S Rohit Gupta ( Nominee Director of Magic IT Solution Pvt Ltd)

.... **APPLICANT/PETITIONER**

**Vs.**

Magic IT Solution Pvt Ltd

.... **RESPONDENT**

**SECTION**

**U/s 213**

**Order delivered on 06.03.2023**

**CORAM:**

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

**SHRI RAHUL BHATNAGAR, HON'BLE MEMBER (TECHNICAL)**

**PRESENT:**

For the Applicant : Mr. Abhishek Kumar, Advocate

For the Respondent : Ms. Neeha Nagpal, Mr. Rajat Bector, Advocates for Respondent No.4

**ORDER**

Mr. Abhishek Kumar, Ld. Counsel appearing for the Applicant.

On 15.03.2022, the Applicant was directed to clarify as to under which category of persons, he falls to be eligible to file an application under Section 213 of the Companies Act. Ld. Counsel submitted that the Applicant falls under clause (b) of Section 213 of the Companies Act, 2013. He is directed to file an affidavit in this regard within one week.

Mr. Rajat Bector, Ld. Counsel appearing on behalf of Respondent No. 4 accepts notice. Issue notice to the remaining Respondents. The Applicant shall serve a copy of the petition on all the Respondents within three days. The Respondents are directed to file reply within four weeks.

List the matter on **17.04.2023**.

Sd/-

**(RAHUL BHATNAGAR)**  
**MEMBER (TECHNICAL)**

Sd/-

**(BACHU VENKAT BALARAM DAS)**  
**MEMBER (JUDICIAL)**