

**NATIONAL COMPANY LAW TRIBUNAL  
JAIPUR BENCH**  
*(through web-based video conferencing platform)*

Item No. 202  
CP(CAA) No. 04/230-232/JPR/2024  
Connected with  
CA(CAA) No. 05/230-232/JPR/2023  
Under Section 230-232 of  
Companies Act, 2013

**In the matter of:**

**Dynamic Powertech Pvt. Ltd. .... Applicant Transferee Company**

**With**

**Mangal Electrical Industries Pvt. Ltd. ...Applicant Transferor Company**

**Coram: HON'BLE MR. DEEP CHANDRA JOSHI, JUDICIAL MEMBER  
HON'BLE MR. RAJEEV MEHROTRA, TECHNICAL MEMBER**

**Present Through Video Conferencing: -**

For the Applicant : Aditya Vijay, Adv.

For the Income Tax Department : Sandeep Pathak, Adv.

**ORDER**

Heard Mr. Aditya Vijay, Adv. appearing on behalf of the Applicant. Mr. Sandeep Pathak, Adv. appearing on behalf of the Income Tax Department. It is stated that on account of amalgamation of the parties, there is increased authorized share capital of the transferee company and also proportional enhancement in payment of stamp duty, registration fee. In this regard, learned counsel for the Applicant submits that he has filed an affidavit and the transferee company undertakes to pay difference in Stamp Duty, registration fee etc. Mr. Sandeep Pathak, Adv. appearing on behalf of the Income Tax Department submits that there is income tax liability with regard to transferor company. In this regard, an affidavit has already been filed by the Applicant Company stating

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that all the income tax liabilities will be fulfilled by the transferee company. It is also prayed since this financial year is ending on 31.03.2024 and today is the last working day of the month, in the interest of justice, considering the affidavit filed by the Applicant, the matter may be reserved. In the interest of justice learned counsel for the Income Tax Department is permitted to file response, if any, to the application within 3 days with an advance copy to the opposite counsel.

**Submissions heard. Order is reserved.**



(Rajeev Mehrotra)  
Technical Member



(Deep Chandra Joshi)  
Judicial Member

March 28, 2024