

DIVISION BENCH ITEM NO.112
NATIONAL COMPANY LAW TRIBUNAL
ALLAHABAD BENCH
PRAYAGRAJ

APPEAL No.05/ALD/2023

CORAM:

- 1. SHRI PRAVEEN GUPTA,
HON'BLE MEMBER (JUDICIAL)**
- 2. SHRI ASHISH VERMA,
HON'BLE MEMBER (TECHNICAL)**

Date of Order: 5th February, 2024

Attendance-Cum-Order Sheet of the Hearing.

NAME OF THE COMPANY	ARUN KUMAR SHARMA & ANR. V/S ROC, KANPUR
UNDER SECTION	252(3) R/W SEC 252(1) OF COMPANIES ACT, 2013

COUNSEL APPEARED THROUGH PHYSICAL/ VIRTUAL HEARING:

Sh. Vipin Kumar Kushwaha, Adv. : *For the Petitioner*

Sh. Krishna Dev Vyas, Adv. : *For the ROC*

Sh. Niraj Kumar Singh Proxy for : *For the IT Deptt.*
Sh. Gaurav Mahajan, Sr. S.C.

ORDER

- 1.** Ld. Counsels for parties are present.
- 2.** The Ld. Counsel representing the appellant company states that a supplementary affidavit has been filed vide Diary No.48 dated 5th January, 2024. From a perusal of the said para 3 of the said affidavit reads as under:

That in compliance of order dated 08.11.2023, the deponent is respectfully submits that due to Covid-19 pandemic and financial difficulty, the company could not open its bank account within 180 days provided in Section 10A of the Companies Act, 2013 and not deposited subscribers amount in the company due to non-opening of bank account.

- 3.** Ld. Counsel representing the RoC seeks and is granted one week time to respond to the supplementary affidavit filed on behalf of the appellant company.

4. The reply/report on behalf of the Income Tax Department has already been filed which is already taken on record.
5. Let the matter be adjourned for 15th February, 2024 for further hearing.

-Sd-
(Ashish Verma)
Member (Technical)

5th February, 2024
Bipul Kumar Tiwari
(Stenographer)

-Sd-
(Praveen Gupta)
Member (Judicial)