

DIVISION BENCH

ITEM NO.139

**NATIONAL COMPANY LAW TRIBUNAL
ALLAHABAD BENCH
PRAYAGRAJ**

APPEAL No. 32/ALD/2023

CORAM:

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

Date of Order: 16th April, 2024

Attendance-Cum-Order Sheet of the Hearing.

NAME OF THE COMPANY	ATUL KUMAR SHUKLA V/S ROC, KANPUR & ANR.
UNDER SECTION	252 (1) OF COMPANIES ACT, 2013

COUNSEL APPEARED THROUGH PHYSICAL/ VIRTUAL HEARING:

Sh. Tanmay Sadh, Adv. *: For the Appellant*

NONE *: For the RoC*

Sh. Niraj Kumar Singh, proxy for
Sh. Krishna Agarwal, Sr. S.C. *: For the I.T. Deptt.*

ORDER

- 1.** Ld. Counsels representing the Appellant as well as Income Tax Department are present physically. However, none present for the ROC.
- 2.** In this case, the report on behalf of the ROC has still not been filed despite opportunities already granted.
- 3.** As per the previous order dated 15.02.2024, it was observed that the Ld. Counsel representing the ROC had sought and was granted ten days more time to file reply/ report with advance copy to be supplied to the other side.
- 4.** Today, there is no representation on behalf of the ROC nor any reply has so far been filed.
- 5.** Let the reply/ report if any, be filed by the ROC within a period of two weeks positively by serving an advance copy to the other side.

-Sd-

-Sd-

6. The Income Tax Department has already filed its report, wherein they have reported about an outstanding amount of only Rs.1,000/- against the appellant company.
7. The name of the company was struck off in view of the fact that the subscription amount was not paid within the prescribed time period after the company was incorporated, though it was belatedly deposited. The Ld. Counsel representing the appellant seeks and is granted one week time to file an affidavit to comply with the provisions of Section 10A with respect to any penalty arising out of in accordance with the provisions of the Act.
8. Let the matter be adjourned for further hearing on 2nd May, 2024 and to be taken up at 02:30 PM.

-Sd-
(Ashish Verma)
Member (Technical)

-Sd-
(Praveen Gupta)
Member (Judicial)

16th April, 2024

Kavya Prakash Srivastava
(Stenographer)