

IN THE NATIONAL COMPANY LAW TRIBUNAL
AHMEDABAD
DIVISION BENCH
COURT - I

ITEM No.209
Appeal/13(AHM)2022

Proceedings under Section 252(1) of Co. Act, 2013

IN THE MATTER OF:

Department of Income Tax

.....Applicant

V/s

Registrar of Companies,Gujarat & Anr

.....Respondent

Order delivered on 02/05/2024

Coram:

Mr. Shammi Khan, Hon'ble Member(J)

Mr. Sameer Kakar, Hon'ble Member(T)

PRESENT:

For the Applicant : Ms. Maithali Mehta, Adv (Income Tax)

For the Respondent :

For the RoC : Ms. Rupa Sutar, Deputy RoC

ORDER

The physical copy of the publication report still not available in physical form. However, on perusal of the soft copy available on the DMS portal, publication was carried out against the struck of respondent company only not against the private respondents in terms of order dated 18.09.2024. It cannot be considered as proper service through publication to proceed further in the matter. For the prayer sought by the applicant Income Tax Department.

The Representative of RoC states that the Income Tax has never approached for seeking details of the Directors. If any, request is made from the office, ROC has no hesitation to provide the same.

Let fresh steps be taken for substituted service upon the private respondents by way of publication after getting the details from the RoC within two weeks and file proper proof of service of publication of two newspaper in English as well as Vernacular.

Re-list on- 04.07.2024

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SAMEER KAKAR
MEMBER (TECHNICAL)

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SHAMMI KHAN
MEMBER (JUDICIAL)