

NATIONAL COMPANY LAW TRIBUNAL, MUMBAI BENCH
COURT III

108. C.P. 97/2022

CORAM: MS. LAKSHMI GURUNG, MEMBER (J)
SH. CHARANJEET SINGH GULATI, MEMBER (T)

ORDER SHEET OF THE HEARING OF MUMBAI BENCH OF THE NATIONAL
COMPANY LAW TRIBUNAL ON **06.02.2024**

NAME OF THE PARTIES: Empire Audio Centre Private Limited.

SECTION 55(3) OF COMPANIES ACT, 2013

ORDER
HEARING THROUGH: VC AND PHYSICAL (HYBRID) MODE

1. Adv. Farzeen C. Pardiwala for the petitioner is present.
2. We observed that preference shares were issued in the year 1996 which according to Section 55 of the Companies Act should have been redeemed within 20 years i.e. 2016. The Applicant Companies has filed the Application under Section 55(3) in the year 2022. Therefore, notice may be issued to RD to examine the failure on the part of the Company to redeem the preference share within 20 years and the long-time taken by the petitioner company to file this petition.
3. Issue notice returnable on **19.03.2024**.
4. Registry is directed to issue notice to the RD as well as ROC and make available the copy of the notice, postal receipt and track report/acknowledgement before this Bench on the next date of hearing.
5. Petitioner is directed to issue notice to the RD as well ROC clearly intimating the next date of hearing. The Petitioner shall file service affidavit along with copy of notice sent to the Respondent, postal receipt, track report, email etc. at least four days before the next date of hearing.

Sd/-
CHARANJEET SINGH GULATI
Member (Technical)
/RKS/

Sd/-
LAKSHMI GURUNG
Member (Judicial)