

**NATIONAL COMPANY LAW TRIBUNAL
DIVISION BENCH, COURT – II
CHENNAI**

**ATTENDANCE CUM ORDER SHEET OF THE HEARING OF NATIONAL
COMPANY LAW TRIBUNAL, CHENNAI BENCH, HELD ON 17-04-2024 AT
10.30 A.M. THROUGH VIDEO CONFERENCING:**

**PRESENT : SHRI. JYOTI KUMAR TRIPATHI, HON'BLE MEMBER (JUDICIAL)
SHRI. RAVICHANDRAN RAMASAMY, HON'BLE MEMBER (TECHNICAL)**

APPLICATION NUMBER : --

PETITION NUMBER : CP(CA)/102/CHE/2023

NAME OF THE PETITIONER : Jusda India Supply Chain Management Pvt
Ltd

NAME OF THE RESPONDENT(S) : The ROC, Chennai & 2 Ors

UNDER SECTION : Sec 59 of CA 2013

ORDER

Ld. Counsel Mr. Antony Julian and Mr. Afnaan Siddiqui for the Petitioner. Ld. Counsel Mr. Avinash Krishnan Ravi for the ROC.

In this case arguments heard and the Counsel for the ROC stated that the Application comes under Section 59(4) of the Companies Act for the purpose of rectifying the Register of members so that the Petitioner could be removed from the Register of Members as prayed for in para no.31 – i to v. The Applicant also prayed in 31 – vi for return of the FDI amount received against the shares. On this aspect the Counsel for the ROC stated that the money can be returned only under Section 66 of the Companies Act.

Both the Counsels cited certain judgments stating that the process of return of the money has to be either under Rule 11 of NCLT Rules or under the Companies Act.

Both the Counsels are directed to file written submissions within 3 days.

List the petition for hearing on **29.04.2024**.

-Sd-

RAVICHANDRAN RAMASAMY
Member (Technical)

-Sd-

JYOTI KUMAR TRIPATHI
Member (Judicial)

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