

**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:**

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**PRESENT : SHRI. JYOTI KUMAR TRIPATHI, HON'BLE MEMBER (JUDICIAL)  
SHRI. RAVICHANDRAN RAMASAMY, HON'BLE MEMBER (TECHNICAL)**  
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**APPLICATION NUMBER** : --  
**PETITION NUMBER** : **Comp.Appeal(CA)/2/2024**  
**NAME OF THE PETITIONER** : **Whispering Rose Farms India Pvt Ltd**  
**NAME OF THE RESPONDENT(S)** : **The Roc, Coimbatore**  
**UNDER SECTION** : **Sec 252(3) of the CA, 2013**  
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**ORDER**

Ld. Counsel Mr.James Victor Rajkumar for the Appellant. Ld. Counsel Ms.Nandini Agarwal for the ROC.

In this case the Applicant has prayed that the notification in Form STK 7 dated 25.10.2017 be set aside.

Applicant relied on the Hon'ble High Court of Madras order in the case of AGD Private Limited Vs ROC dated 01.10.2018 in C.R.P.(NPD).No.1476 of 2018 ROC has given the reply on 14.02.2024 and stated that they have no objection for the restoration subject to certain compliances mentioned at para no.10. The issue here is not of restoration of the company but whether order under section 248(1) has been passed or not before strike off under Section 248(5) of the Companies Act, 2013. This specific issue has not been dealt with by the ROC in their report referred above.

ROC is directed to give the report covering the issues raised by the Applicant within 3 weeks and also serve copy to the Applicant.

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Rejoinder, if any, be filed within a week thereafter.

List the petition for hearing on **05.06.2024**.

**-Sd-**

**RAVICHANDRAN RAMASAMY**  
**Member (Technical)**

phk

**-Sd-**

**JYOTI KUMAR TRIPATHI**  
**Member (Judicial)**