



DIVISION BENCH

ITEM NO.116

NATIONAL COMPANY LAW TRIBUNAL

ALLAHABAD BENCH

PRAYAGRAJ

CP No.61/ALD/2023

CORAM:

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

Date of Order: 9th May, 2024

Attendance-Cum-Order Sheet of the Hearing.

NAME OF THE COMPANY	ASHTABHUJA INFRA DEVELOPERS PVT. LTD. & ANR. V/S ROC, KANPUR, UP
UNDER SECTION	252 (3) OF COMPANIES ACT, 2013

COUNSEL APPEARED THROUGH PHYSICAL/ VIRTUAL HEARING:

Sh. Anurup Dutta, Adv. : *For the Petitioner*

Sh. Krishna Dev Vyas, Adv. : *For the ROC*

Sh. Krishna Agarwal, Sr. S.C. : *For the IT Dept.*

ORDER

- 1.** In this case, the report on behalf of the Income Tax Department as well as on behalf of the ROC have been filed.
- 2.** Ld. Counsel, Sh. Krishna Agarwal representing the Income Tax Department states that a further inspection was carried out on the spot by the concerned authority of the Income Tax Department on 2nd May, 2024. Based upon the inspection, affidavit has also been filed with the Registry of this Tribunal attaching there with the report of the Inspector. The said affidavit is stated to be under scrutiny.
- 3.** Ld. Counsel, Sh. Krishna Dev Vyas representing the ROC states that the striking off the name of the company in this case has taken place on 28th August, 2018, and therefore, the petition is barred by limitation.
- 4.** Ld. Counsel, Sh. Anurup Dutta representing the Petitioner on the other

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hand states that the case is covered by the judgment of the Hon'ble Supreme Court for the purpose of exclusion of the COVID-19 period. In this context, the supplementary affidavit has been filed, and the copy thereof has also been supplied to the Ld. Counsels representing Income Tax Department as well as to the ROC.

5. Ld. Counsels representing the Income Tax Department as well the ROC seek two weeks time to address the arguments on merit of the case as well as on condonation of delay.
6. The matter is adjourned for further hearing on 3rd June, 2024.

-Sd-
(Ashish Verma)
Member (Technical)

-Sd-
(Praveen Gupta)
Member (Judicial)

9th May, 2024

Avaneesh Kumar Singh
(Stenographer)