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**NATIONAL COMPANY LAW TRIBUNAL
AHMEDABAD BENCH
AHMEDABAD**

**IA 195/2017 In CP (CAA) No. 56/NCLT/AHM/2017
In CA(CAA) No. 32/NCLT/AHM/2017**



Coram:

**Present: Hon'ble Mr. BIKKI RAVEENDRA BABU
MEMBER JUDICIAL**

**ATTENDANCE-CUM-ORDER SHEET OF THE HEARING OF AHMEDABAD
BENCH OF THE NATIONAL COMPANY LAW TRIBUNAL ON 19.07.2017**

Name of the Company: Accuflow Controls Pvt. Ltd.

Section of the Companies Act: Section 230-232 of the Companies Act, 2013

<u>S.NO.</u>	<u>NAME (CAPITAL LETTERS)</u>	<u>DESIGNATION</u>	<u>REPRESENTATION</u>	<u>SIGNATURE</u>
1.	Pinakin Shah	PCS	Petitioner	
2.	Ishan P. Shah	Advocate	Petitioner	

ORDER


Learned PCS Mr. Pinakin Shah with Learned Advocate Mr. Ishan Shah present for Applicant.

Heard arguments of Learned PCS for Applicant.

This application filed to condone the delay of 8 days in filing petition seeking sanction of arrangement in the nature of amalgamation of Accuflow Controls Pvt Ltd with Darling Muesco (India) Pvt Ltd.

The application reads that chairman of meetings filed his report on 05.06.2017. This petition was filed on 20.06.2017 with a delay of 8 days. The reason for delay according to applicant is "The Petitioner filed the petition during vacation period of the Hon'ble Tribunal, and thereby committed an error of excluding the vacation period of the Hon'ble Tribunal".

The reason stated is a sufficient reason to condone the delay. This Tribunal is having inherent power under Rule 4(11) NCLT Rules to condone delay. The period prescribed under Rule 15 of Amalgamation, Arrangement and Compromise Rules can be condoned. In view of sub rule 3 of rule 15 enables any creditor or member with leave of the Tribunal to present the petition to sanction of arrangement for which no period is provided. Therefore, this Tribunal is condoning delay of 8 days in filing petition.


**BIKKI RAVEENDRA BABU
MEMBER JUDICIAL**

Dated this the 19th day of July, 2017.