

(15)

NATIONAL COMPANY LAW TRIBUNAL  
SINGLE BENCH  
CHENNAI

ATTENDANCE CUM ORDER SHEET OF THE HEARING OF CHENNAI BENCH, CHENNAI  
NATIONAL COMPANY LAW TRIBUNAL, HELD ON 06/03/2018 AT 10.30 AM

PRESENT: SHRI Ch. MOHD SHARIEF TARIQ, MEMBER-JUDICIAL

APPLICATION NUMBER :  
PETITION NUMBER : CP/186/2018  
NAME OF THE PETITIONER(S) : PRAKASH PARCEL SERVICES LTD  
UNDER SECTION : 252

| S.No. | NAME (IN CAPITAL) | DESIGNATION            | SIGNATURE |
|-------|-------------------|------------------------|-----------|
|       |                   | REPRESENTATION BY WHOM |           |

1. Pothan Keyasekaran  
2. B. Sarathbabu

Counsel for Petitioner  
For Rec. Chennai

R.D. C  
B. Sarathbabu

**ORDER**

Counsel for the Applicant present. Counsel for the RoC present. The Application has been filed by the Creditors under section 252 (3) of the Companies Act, 2013, being aggrieved on account of non-payment of the debt amounting to Rs.5,27,081/-. The Counsel for RoC has submitted the objections. In the objection, it has been submitted that liability, if any of every Director, Manager or other persons whoever exercising any power of Management and of every member of the Company dissolved under section 248 (5) shall continue and may be enforced as if any Company had not been dissolved.

It is on record that the Applicant has filed Application under section '9' of the IBC, 2016 which is pending before this Bench for initiating CIR process against the Applicant Company. In view of the circumstances involved in the case, there requires an order for restoration of the name of the Company to the Register of Companies.

Accordingly, the Application is admitted. The RoC concerned is directed to restore the name of the Company to the Register of Companies. The Applicant is directed to submit the copy of this order to the RoC, who shall within two weeks restore the name of the Company. In case, any expenses are to be incurred for restoration of the name of the Company, the Applicant/Creditor is directed to pay the same to the RoC concerned.

Accordingly, the Application is **disposed of**.

-Sp-

**(CH. MOHD SHARIEF TARIQ)**  
**MEMBER (JUDICIAL)**