

**NATIONAL COMPANY LAW TRIBUNAL
AHMEDABAD BENCH
AHMEDABAD**


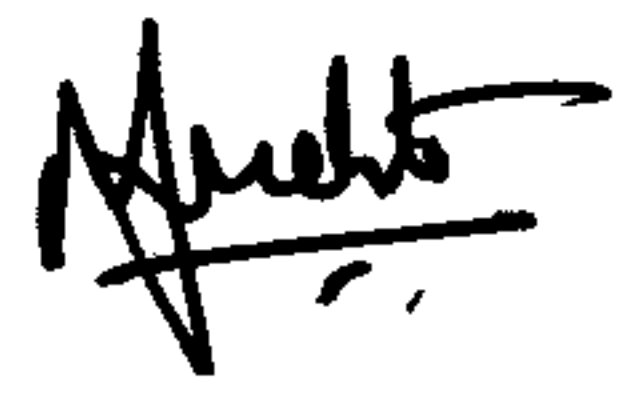
Co. Appeal No. 339/252(3)/NCLT/AHM/2018

Coram: **Hon'ble Mr. HARIHAR PRAKASH CHATURVEDI, MEMBER JUDICIAL**

**ATTENDANCE-CUM-ORDER SHEET OF THE HEARING OF AHMEDABAD
BENCH OF THE NATIONAL COMPANY LAW TRIBUNAL ON 27.09.2018**

Name of the Company: Solly Perumal
(Sachana Ship Recycling Pvt Ltd).
V/s.
Registrar of Companies, Gujarat.

Section of the Companies Act: Section 252 of the Companies Act, 2013

| <u>S.NO.</u> | <u>NAME (CAPITAL LETTERS)</u> | <u>DESIGNATION</u> | <u>REPRESENTATION</u> | <u>SIGNATURE</u> |
|--------------|---|--------------------|-----------------------|---|
| 1. | BALAVANTSINH J VAGHELA | PCS | Applicant |  |
| 2. | Nachiket D. Mehta for Ms. Maithili D. Mehta | Advocate | Respondent IT Dept |  |

ORDER

PCS Mr. Balavantsinh J. Vaghela is present for the Appellant. Advocate Mr. Nachiket D. Mehta for Advocate Ms. Maithali Mehta is present for the Respondent (Income Tax Department)

The proof of service of notice of date of hearing on the ROC is filed.

The representation of the ROC is received.

The representation of the Income Tax Department is already received. The Income Tax Department has sent a letter communicating that assessee company was allotted PAN number on 17.05.2018. The date of incorporation of the company is 04.04.2011. The assessee company very first time e-filed its returns for the A.Y. 2018-2019 declaring its total income NIL. Therefore, the Income Tax Department offers no comments on restoration of the name of the company and the present appeal can be decided on its merits by this Court.

During the course of hearing Learned PCS for the appellant brought to our notice that the company was not a going concern and was carrying its business activities, but ~~it~~ is hopeful to start its business activities after revival of its name with the ROC. It is further submitted that the company has been proposed for an MOU with third party as joint venture for some project. Therefore, on such basis the name of the company to be restored with the ROC.

The arguments for the appellant are heard.

The order is reserved.


**HARIHAR PRAKASH CHATURVEDI
(MEMBER JUDICIAL)**

Dated this the 27th day of September, 2018