

**NATIONAL COMPANY LAW TRIBUNAL
AHMEDABAD BENCH
AHMEDABAD**

C.P. No. 66/131/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 04.07.2017**

Name of the Company: Chemtex Materials Pvt. Ltd.

Section of the Companies Act: Section 131 of the Companies Act, 2013

<u>S.NO.</u>	<u>NAME (CAPITAL LETTERS)</u>	<u>DESIGNATION</u>	<u>REPRESENTATION</u>	<u>SIGNATURE</u>
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1.	Ravi Kapoor	PCS	Chemtex Materials Pvt. Ltd.	Ravi Kapoor
2.				

ORDER

Learned PCS Mr. Ravi Kapoor present for Petitioner.

Affidavit of proof of service of notice on Regional Director, Income Tax and Auditor filed.

Publication filed.

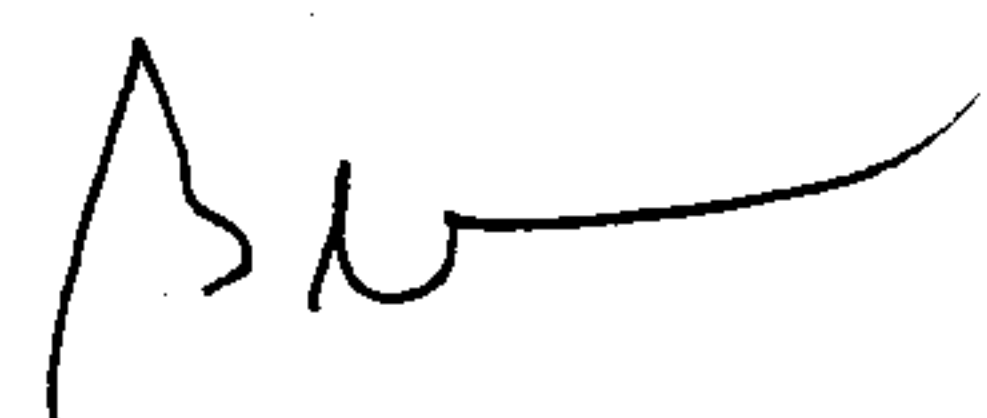
None appeared for Regional Director, Income Tax and Auditor.

Heard arguments of Learned PCS for Petitioner.

As per the provision of section 131 of Companies Act, 2013 revised financial statement or revised report in respect of any of the three preceding Financial years can be filed by the Board of Directors of the Company with the approval of this Tribunal. Rule 77(1) of the National Company Law Tribunal Rules also enable the Directors of the company to revise the report of the Board if it does not comply with the sections 129 or 134 of Companies Act, 2013.

In this petition, petitioner is seeking revision of the Directors Report dated 12.08.2015 for the financial year ended 31.03.2015 in order to comply the provisions of section 134(3) of Companies Act, 2013.

Copy of the board resolution along with the draft of the revised report is attached to the petition.



It is stated in the petition that in the board report dated 12.08.2015 in relation to Financial Statement for the year ended 31.03.2015 due to accidental and inadvertent mistake there is non-compliance of provisions of section 134(3) of the Companies Act, 2013.

Considering the above reasons this Tribunal is of a view that petitioner can be permitted to revise the Directors Report dated 12.08.2015 for the financial year ended 31.03.2015 in order to comply with provision of section 134(3) of the Companies Act, 2013 subject to petitioner following sub rule 7, 8 and 9 of Rule 77 of the National Company Law Tribunal Rules, 2016.

Hence, petitioner is permitted to revise the Directors Report dated 12.08.2015 for the financial year ended 31.03.2015 in order to comply with provision of section 134(3) of the Companies Act, 2013 subject to petitioner following sub rule 7, 8 and 9 of Rule 77 of the National Company Law Tribunal Rules, 2016.

Petition is disposed of accordingly. No order as to costs.


BIKKI RAVEENDRA BABU
MEMBER JUDICIAL

Dated this the 4th day of July, 2017.