

IN THE NATIONAL COMPANY LAW TRIBUNAL, NEW DELHI
PRINCIPAL BENCH

C.P.127/2012

IN THE MATTER OF:

NKS Holdings Pvt. Ltd.

.... Applicant/petitioner

Order under Section 391-394 of the Companies Act

Order delivered on 28.11.2017

Coram:

CHIEF JUSTICE (Retd.) M.M.KUMAR

Hon'ble President

Ms. Deepa Krishan

Hon'ble Member (T)

For the Applicant/petitioner	:	Mr. N.K. Kantawala, Ms. Akanksha Jain, Advocates
For the Respondent	:	
For the ROC/RD(NR) Delhi	:	Mr. Manish Raj, Company Prosecutor
For the OL, Delhi	:	Mr. Amish Tandon, Mr. Ajeyo Sharma, Advs.


ORDER

This petition has remained pending before Delhi High Court since 2012. It has been transferred to NCLT.

Learned Counsel for the petitioner states that report by RD was filed on 24.05.2013. However, it is not disputed that thereafter investigation under Section 235 of 1956 Act has been carried and challan has been presented on the basis of Investigation Report dated 31.03.2016 by the SFIO. Complaint has been filed under Section 621 of the Companies Act, 1956 read

with Sections 200 & 190 Cr.P.C. seeking prosecution of 31 accuseds named in the challan filed under Sections 233/628 read with Sections 211 and 240(3) of the 1956 Act and Sections 420/468/477A and 120B of the Indian Penal Code, 1860. Let RD/OL file their fresh report in view of the developments since 24.05.2013. Needful shall be done within four weeks with a copy in advance to the Counsel for the petitioner.

List for arguments on 15th January, 2018. In the meanwhile, the advocate on record shall properly page mark the paper book and shall provide correct index.


(CHIEF JUSTICE M.M.KUMAR)
PRESIDENT


(DEEPA KRISHAN)
MEMBER(TECHNICAL)

28.11.2017
V. Sethi