

IN THE NATIONAL COMPANY LAW TRIBUNAL, NEW DELHI

PRINCIPAL BENCH

C.P.259(ND)/2017

IN THE MATTER OF:

M/s. Virender Pal Kapoor

.... Applicant/petitioner

Vs.

Registrar of Companies

.... Respondents

Order under Section 252 of the Companies Act

Order delivered on 14.09.2017

Coram:

CHIEF JUSTICE (Retd.) M.M.KUMAR

Hon'ble President

Ms. DEEPA KRISHAN,


Hon'ble Member(Technical)

For the Applicant/petitioner :

For the Respondent :

ORDER

The instant petition filed under Section 252 has not been filed properly as only appeal is competent and maintainable against the order striking off the name of the company from the register of the Registrar. The Tribunal has no original jurisdiction in these matters and the order of the Registrar is an appealable order. The present petition cannot proceed for another reason because the record under Section 248 and the final order under Section 252 have also not been placed before us. The petitioner cannot effectively succeed without challenging that order. For seeking restoration of M/s. NXTGEN Impact Private Limited, adverse order

 is required to be placed on record.

In view of above, the petition is dismissed with liberty to the petitioner to file fresh one on the same cause of action.

— Sd —
(CHIEF JUSTICE M.M.KUMAR)
PRESIDENT
— Sd —
(DEEPA KRISHAN)
MEMBER(TECHNICAL)

14.09.2017
V.Sethi