

**IN THE NATIONAL COMPANY LAW TRIBUNAL : NEW DELHI
COURT-III**

CAA-390/ND/2017

In the matter of :
EBOT IT Services (P) Ltd.

.. PETITIONER

SECTION :
Under Section 230-232

Order delivered on 12.2.2018

Coram :
R. VARADHARAJAN,
Hon'ble Member (Judicial)

For the Petitioner /Op. Creditor : Ms. Shweta Bharti, Advocate
Mr. JK Choudhary, Advocate
Mr. Pranav Shangari, Advocate

For the Respondent/Corporate Debtor :-

For the Intervener : Ms. Lakshmi Gurung, Standing
Counsel along with Mr. Omkar Singh,
Income tax Deptt.
Mr. Ajeyo Sharma, for O.L.

ORDER

Learned Counsel for the petitioner is present. It is represented by the Ld. Counsel for the petitioner that in compliance to the directions dated 14.12.2017 passed by this Tribunal, paper publication has been duly effected and in proof of the same, affidavit has been filed vide diary No.848 for the Transferor Company and vide diary No.849 for the Transferee Company on 29.1.2018. However, perusal of the record shows that the same is not available.

Counsel -

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Bench Officer is directed to check for the same and up-date the records of this Tribunal. It is further seen from the record that another affidavit has been filed on 06.2.2018 by the petitioner in relation to the compliance of order dated 13.12.2017, in relation to the Certificate issued by the Auditors of the Company certifying that the Accounting Standards prescribed under Section 133 of the Companies Act, 2013, the affidavit filed seems to be defective and the same be returned by the Registry to the petitioner for due compliance in relation to Certificate of compliance.

Further, pursuant to the service of notice upon the statutory authorities, the Regional Director as well as the Official Liquidator represented by Learned Company Prosecutor and Ld. Standing Counsel for the Income tax Department are present. These statutory authorities seek some time to file their observations. Taking into consideration the said request, 3 weeks time is granted to these authorities to file their observations.

List on 13.3.2018.

Surjit
12.2.2018

- 8d -
(R. VĀRADHARAJAN)/
MEMBER (JUDICIAL)