

**IN THE NATIONAL COMPANY LAW TRIBUNAL: NEW DELHI  
PRINCIPAL BENCH**

**CP/CA No. 691/2014**

**IN THE MATTER OF:**

<b>Walter Bushnell Remedies Pvt. Ltd.</b>	....	<b>APPLICANT / PETITIONER</b>
<b>Vs</b>		
<b>Registrar of Companies</b>	....	<b>RESPONDENT</b>

**SECTION:**  
**Under Section 560(6)**

**AND**

**CP/CA No. 694/2014**

**IN THE MATTER OF:**

<b>Walter Bushnell Biohealth Pvt. Ltd.</b>	....	<b>APPLICANT / PETITIONER</b>
<b>Vs</b>		
<b>Registrar of Companies</b>	....	<b>RESPONDENT</b>

**SECTION:**  
**Under Section 560(6)**

**AND**

**CP/CA No. 712/2014**

**IN THE MATTER OF:**

<b>Walter Bushnell Pure Health Pvt. Ltd.</b>	....	<b>APPLICANT / PETITIONER</b>
<b>Vs</b>		
<b>Registrar of Companies</b>	....	<b>RESPONDENT</b>

**SECTION:**  
**Under Section 560(6)**

**AND**

**CP/CA No. 713/2014**

**IN THE MATTER OF:**

<b>Walter Bushnell Cure Pvt. Ltd.</b>	....	<b>APPLICANT / PETITIONER</b>
<b>Vs</b>		
<b>Registrar of Companies</b>	....	<b>RESPONDENT</b>

**SECTION:**  
**Under Section 560(6)**

**AND**

**CP/CA No. 714/2014**

**IN THE MATTER OF:**

<b>Walter Bushnell Biopharma Pvt. Ltd.</b>	....	<b>APPLICANT / PETITIONER</b>
<b>Vs</b>		
<b>Registrar of Companies</b>	....	<b>RESPONDENT</b>

**SECTION:**  
Under Section 560(6)

AND

CP/CA No. 718/2014

**IN THE MATTER OF:**

Walter Bushnell Therapeutics Pvt. Ltd.  
Vs  
Registrar of Companies

.... APPLICANT / PETITIONER  
.... RESPONDENT

**SECTION:**  
Under Section 560(6)

AND

CP/CA No. 720/2014

**IN THE MATTER OF:**

Walter Bushnell Healthcare Pvt. Ltd.  
Vs  
Registrar of Companies

.... APPLICANT / PETITIONER  
.... RESPONDENT

**SECTION:**  
Under Section 560(6)

AND

CP/CA No. 728/2014

**IN THE MATTER OF:**

Walter Bushnell Therapeutics Pvt. Ltd.  
Vs  
Registrar of Companies

.... APPLICANT / PETITIONER  
.... RESPONDENT

**SECTION:**  
Under Section 560(6)

AND

CP/CA No. 730/2014

**IN THE MATTER OF:**

Walter Bushnell Medicare Pvt. Ltd.  
Vs  
Registrar of Companies

.... APPLICANT / PETITIONER  
.... RESPONDENT

**SECTION:**  
Under Section 560(6)

AND

CP/CA No. 737/2014

**IN THE MATTER OF:**

Walter Bushnell Pharma Pvt. Ltd.  
Vs  
Registrar of Companies

.... APPLICANT / PETITIONER  
.... RESPONDENT

**SECTION:**

**Under Section 560(6)**

**AND**

**CP/CA No. 727/2014**

**IN THE MATTER OF:**

**Four Point Healthcare Pvt. Ltd.**

**.... APPLICANT / PETITIONER**

**Vs**

**Registrar of Companies**

**....**

**RESPONDENT**

**SECTION:**

**Under Section 560(6)**

**Order delivered on 12.01.2018**

**Coram:**

**CHIEF JUSTICE (Retd.) M.M. KUMAR**

**Hon'ble President**

**S.K. MOHAPATRA**

**Hon'ble Member (T)**

For the Applicant/petitioner: Mr. Amandeep Singh and Mr. Dilip Kr. Niranjana, Advs.

For the ROC (Delhi): Mr. Manish Raj, Company prosecutor

**ORDER**

This order shall dispose of C.P. No. 691/2014, C.P. No. 694/2014, C.P. No. 712/2014, C.P. No. 713/2014, C.P. No. 714/2014, C.P. No. 718/2014, C.P. No. 720/2014, C.P. No. 728/2014, C.P. No. 730/2014, C.P. No. 737/2014 & C.P. No. 727/2014 as the common questions of facts and law arise. The prayer made in these applications is similar to one another namely restoration of these companies to their original name on register of Registrar of Companies. It is appropriate to mention that under the easy exist scheme these companies had applied in the year 2010 and their applications were accepted by the Registrar of Companies consequently their names were struck off the register of Registrar of Companies.

We have perused the provisions of Section 560 (6) of the Companies Act, 2013 and are of the opinion that no case for restoration of these companies is made out. A perusal of Section 560 (6) of the Companies Act, 2013 would show that there are three grounds which could constitute basis



for allowing a prayer for revival of a struck off company. These three grounds are that at the time of striking off (a) the company must be carrying on business or (b) it was in operation or (c) thirdly it is considered just and proper to restore the companies on the register of the Registrar of Companies in the facts and circumstances of the case. The only ground on which restoration has been sought is that it would be just that the companies be restored on the register of the Registrar of Companies. However, nothing could be substantiated to bring the case within the parameters of 'justness' as contemplated by Section 560 (6) of the Act, 2013.

At this stage learned counsel for the appellant after obtaining instructions from Ms. Manisha Gupta, Company Secretary of the appellant companies states that the petition may be dismissed as withdrawn and liberty be given to apply to the Registrar of Companies afresh with a direction to the Registrar of Companies that they may be allotted the same name.

We accept the prayer made on behalf of the appellant and dismiss the appeals as withdrawn. However, we grant the liberty to the appellants to apply to Registrar of Companies for registration afresh and to consider the request of the appellants to allot them the same/similar names. These directions are subject to all just exceptions.

Consequently, the appeals stand disposed of.

Sd-

(M.M. KUMAR)  
PRESIDENT

Sd-

(S.K. MOHAPATRA)  
(MEMBER TECHNICAL)

12.01.2018  
Vineet