

NATIONAL COMPANY LAW TRIBUNAL
MUMBAI BENCH, MUMBAI

C.S.A. No. 689/(MAH)/2017
M.A. No. 561/2017

CORAM:

Present:

SHRI B.S.V. PRAKASH KUMAR
MEMBER (J)

SHRI V. NALLASENAPATHY
MEMBER (T)

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING OF MUMBAI BENCH OF THE
NATIONAL COMPANY LAW TRIBUNAL ON 14.12.2017

NAME OF THE PARTIES: Dalton Capital Advisors (India) Pvt. Ltd.

SECTION OF THE COMPANIES ACT: 391 to 394 of the Companies Act 1956
and 230 to 232 of the Companies Act, 2013.

S. No.	NAME	DESIGNATION	SIGNATURE
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ORDER

MA 561/2017 in CSA No. 689/230-232/NCLT/MB/MAH/2017

It is a Company Petition filed u/s 230 for reduction of share capital of the company. Looking at the Company Petition filed by the Petitioner, when this Bench has put it to the Petitioner how this Petition is maintainable u/s 230 of Companies Act, 2013, the Counsel has submitted that it is the choice of the Petitioner that it could file an Application either u/s 66 or u/s 230. Since choice is left to the Petitioner, it has filed this Petition u/s 230 instead of filing u/s 66 of the Companies Act, 2013.

The Petitioner's Counsel subsequently submitted that he filed this Application also u/s 230-232 r.w. section 66 of the Companies Act, 2013, thereby this Petitioner's Counsel conceded for consideration of this Application solely u/s 66 of the Companies Act, 2013.

This Company Petition is hereby admitted u/s 66 of the Companies Act, 2013.

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When this Petition has been admitted, the Petitioner's Counsel has submitted that the Petitioner company already issued notices to the Central Government represented by Regional Director, MCA, RoC, etc. on 23.06.2017 on the order passed by this Bench in CSA 689/2017, responding to the same RoC having already filed report, since six months' time has already been lapsed after issuing notices to RoC and RD, he prayed this Bench to post this matter on any date within one month hereof with a direction to the RD to file report over this Petition.

Since this Company has no creditors, no notices have been issued against them when CSA was allowed.

In a situation like this in a Petition filed in the month of June 2017 i.e. almost 6 months before from hereof, RD is hereby directed to file report within one month hereof. In view of the same, the Petitioner herein is hereby directed to comply with all other procedural aspects, if any left out, on or before next date of hearing.

List this matter on **18.01.2018**.

Sd/-

V. NALLASENAPATHY
Member (Technical)

Sd/-

B.S.V. PRAKASH KUMAR
Member (Judicial)