

NATIONAL COMPANY LAW TRIBUNAL
NEW DELHI BENCH

CP No. 16/113(ND)/2017

CORAM:

PRESENT: SH. S. K. MOHAPATRA
HON'BLE MEMBER(T)

SMT. INA MALHOTRA
HON'BLE MEMBER (J)

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING BEFORE NEW DELHI BENCH OF THE NATIONAL COMPANY LAW TRIBUNAL ON 18.09.2017

NAME OF THE COMPANY: M/s Orient Industrial Resources Ltd.

SECTION OF THE COMPANIES ACT: 441

S.NO.	NAME	DESIGNATION	REPRESENTATION	SIGNATURE
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	For the Petitioner (s) :	Mr. P.K. Mittal, Advocate Mr. Vijay Sharma, PCS		
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	For the Respondent (s):	Mr. R.K. Tiwari, ROC Ms. Aparna Mudiam, Asstt. ROC		
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ORDER

The Ld. ROC is present in Court and has relied upon the judgment dated 29th August, 2017 passed by the Hon'ble NCLAT in Company Appeal (AT) No.137 of 2017, in the matter of M/s Cinopolis India Pvt. Ltd. & Ors Vs. Registrar of Companies, wherein it has been clearly observed that once the case is pending before the Special Court, permission is required to be taken by the Applicants prior to seeking compounding before this Court.

Ld. Counsel for the Petitioner submits that in respect of the requirement of taking permission of the prosecuting court, the same was not necessary under Section 621A of the 1956 Act which is para material with Section 441 of the Act. He however prays for some time to examine the said judgment, whether it could be applicable in the facts and circumstances of the present case.

Adjourned to 28th September, 2017.

sd -

(S. K. Mohapatra)
Member (T)

sd -

(Ina Malhotra)
Member (J)