

9

**BEFORE THE AJUDICATING AUTHORITY  
(NATIONAL COMPANY LAW TRIBUNAL)  
AHMEDABAD BENCH  
AHMEDABAD**

**IA 327/2017 in C.P. (I.B) No. 53/7/NCLT/AHM/2017**

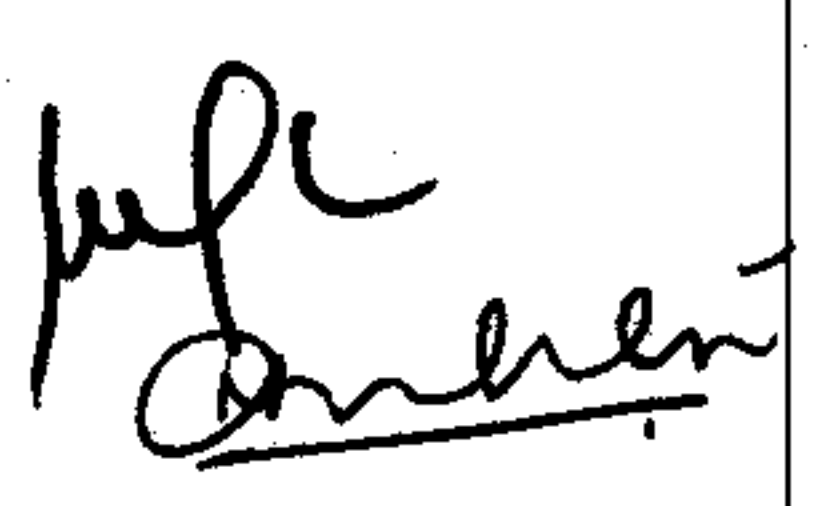


Coram:

**Present: Hon'ble Mr. BIKKI RAVEENDRA BABU  
MEMBER JUDICIAL**

**ATTENDANCE-CUM-ORDER SHEET OF THE HEARING OF AHMEDABAD  
BENCH OF THE NATIONAL COMPANY LAW TRIBUNAL ON 08.11.2017**

Name of the Company: ABG shipyard Ltd.  
(Through IRP Sundaresh Bhat)  
V/s.  
ICICI Bank Ltd. & Ors.

Section of the Companies Act: Section 96(1) of the Insolvency and Bankruptcy  
Code

<u>S.NO.</u>	<u>NAME (CAPITAL LETTERS)</u>	<u>DESIGNATION</u>	<u>REPRESENTATION</u>	<u>SIGNATURE</u>
1.	Mr. Maulik Nanavati with Ms. Nikita Mehta	Advocate Advocate	Applicant	
2.	Mr. Sundaresh Bhat Sundaresh Bhat	RP	Applicant	
3.	MS. VIPAL SOLANKI	COMPANY PROSECUTOR	RESPONDENT	

**ORDER**

Learned Advocate Mr. Maulik Nanavati with Learned Advocate Ms. Nikita Mehta i/b Nanavati & Company present for Applicant. Learned Company Prosecutor Ms. Vipal Solanki present for ROC in IA 327/2017.

RP Mr. Sundaresh Bhat present.

Reply filed by ROC.

RP filed this application seeking extension of three months' time to hold annual general meeting and direct Respondent no. 2 to accept the application in e-form GNL-1 filed by the applicant within a period of 30 days. It is stated in the application that RP tried to file in e-form through directors of the Corporate Debtor. It is stated in the reply by the ROC that directors who made attempt to file GNL-1 are already disqualified to act as directors and therefore the GNL-1 filed by using the digital signatures of the directors has not been accepted.


Applicant made a statement that he made a attempt to file GNL-1 manually but ROC did not accept the same. Applicant not placed any material on record to show that he made a attempt to file GNL-1 manually by sending it by post, mail, etc.

Moreover, application seeking extension of time for holding annual general meeting shall be filed before 30.09.2017.

Therefore, in these set of circumstance the applicant is not entitled for any of the reliefs.

However, the applicant can approach ROC by filing manual GNL-1 and in case if it is rejected then the matter may be placed before COC for further action and depending upon resolution of COC if necessary applicant can approach this authority.

Application is disposed of accordingly.

  
**BIKKI RAVEENDRA BABU**  
**MEMBER JUDICIAL**

Dated this the 08th day of November, 2017.