

IN THE NATIONAL COMPANY LAW TRIBUNAL, NEW DELHI
PRINCIPAL BENCH

C.P. No. 260(ND)/2017
(Appeal No. 60/2017)

IN THE MATTER OF:

Matangi Polymers & Products Pvt. Ltd. & Ors. Applicants/petitioners
Vs.
Registrar of Companies Respondent

Order under Section 252

Order delivered on 28.11.2017

Coram:

CHIEF JUSTICE (Retd.) M.M.KUMAR
Hon'ble President

Ms. Deepa Krishan
Hon'ble Member (T)

For the Applicant/petitioner: Mr. Iswar Mohapatra, Advocate
For the Respondent:

Ms. Lakshmi Gurung, standing counsel for
Income Tax Dept.

ORDER

This is an application with a prayer to recall the order dated 14.09.2017 dismissing the petition for non prosecution. The reasons for non appearance given in para 3 of the application are that the counsel for the petitioner was suffering from viral fever and has gone to the hospital. He was not even able to mark the list.

For the reasons aforementioned, this application succeeds. The order dated 14.09.2017 is recalled and the petition is restored at its original number.

The Income Tax Department is a necessary and proper party and therefore, we implead Union of India, Ministry of Finance, Department of Revenue through ITO (Ward/Circle) No. 16(3), New Delhi (PAN card number 'AAECM0479N' of appellant company) as party-respondent No. 2.

Amended memo be filed by the appellant within two days.



On behalf of added respondent-Income Tax Department Ms. Lakshmi Gurung, learned standing counsel for the Income Tax Department accepts notice. A copy of the paper book has already been handed over to her.

Mr. Manish Raj, learned company prosecutor requests for some more time to file reply.

Let replies by both the respondents be filed within four weeks with a copy in advance to the learned counsel for the petitioner.

Rejoinder, if any, be filed within two weeks thereafter with a copy in advance to the learned counsel for the respondents.

List the main case for arguments on 18.01.2018.

Sd/-

(CHIEF JUSTICE M.M.KUMAR)
PRESIDENT

Sd/-

(DEEPA KRISHAN)
MEMBER(TECHNICAL)

28.11.2017
VINEET