

BEFORE THE NATIONAL COMPANY LAW TRIBUNAL  
KOLKATA BENCH  
KOLKATA

**CORAM**

**Shri Vijay Pratap Singh**  
**Hon'ble Member (J)**

**Shri S. Vijayaraghavan**  
**Hon'ble Member (T)**

**C.P. No. No.56/2017**

**In the matter of :**

The Companies Act, 1956, Sub-section 3 of Section 67 read with  
Section 621A;

And

**In the matter of:**

GTPL Kolkata Cable & Broad Band Pariseva Limited having its  
registered Office at 86, Golaghata Road, Ganga Apartment, 6<sup>th</sup> floor,  
Kolkata – 700 048;

And

**In the matter of:**

Mr. Bijay Kumar Agarwal, S/o Radhe Shyam Agarwal, aged about  
49 years, residing at 10/2E/1, Kesto Mullick Lane, Ultadanga,  
North 24 Parganas, Kolkata – 700 037;

.... **Applicants**

**Counsels on Record:**

- |                                      |                             |
|--------------------------------------|-----------------------------|
| 1. Mrs. Manju Bhuteria, Sr. Advocate | ] For the Applicant Company |
| 2. CS M.R.Goenka, Pr.C.S.            | ]                           |

Date of Pronouncing the order : 24-4-2017

**ORDER**

The Ld. Counsels for the petitioners are present. In this case, a  
Supplementary report was called from the Registrar of Companies and in compliance

to that Report dated 20.03.2017 has been received. The following observations are mentioned in the Report.

- "2. Multiple transfers has been taken place in the intermittent period, wherein the original allottees has transferred their shares to the current shareholders which may include GTPLHL (Holding Company), hence, this office unable to confirm such transfers happened in the intermittent period, as a result, this office also unable to confirm as to whether all the current shareholders have been issued exit offer. Evidently, the holding Company has been excluded in the exit offer.
3. In so far as the compliance of SEBI's Circular dated 31-12-2015 and 03-05-2016 and SAST regulations are concerned, the SEBI is the competent authority to confirm as to whether these were complied with or not."

On the basis of above Report, the Registrar of Companies has not confirmed that offence has been made good or not. He has specifically mentioned that SEBI is the competent authority to confirm the balance. After that the petitioner has filed Affidavit in the Court relating to the compliance. A copy of this Affidavit should be sent to the Registrar of Companies and he may be directed to give Supplementary Report to know whether offence complained of has been made good or not. Supplementary Report may be called within 15 days from today.

List on 22<sup>nd</sup> of May, 2017

*Sdr*  
(S. Vijayaraghavan)  
Member (T)

*Sdr*  
(Vijai Pratap Singh)  
Member (J)

Dated, the 24<sup>th</sup> day of April, 2017