

30

**NATIONAL COMPANY LAW TRIBUNAL
AHMEDABAD BENCH
AHMEDABAD**

CP(CAA) No. 122/NCLT/AHM/2017
c.w. CA(CAA) No. 91/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 07.11.2017**

Name of the Company: Idea Cellular Ltd.

Section of the Companies Act: Section 230-232 of the Companies Act, 2013

S.NO.	NAME (CAPITAL LETTERS)	DESIGNATION	REPRESENTATION	SIGNATURE
1.	Mihir Joshi	Sr. Advocate	Petitioner	}
2.	Sandeep Singhi	Advocate	"	
3.	Pranjal Buch	"	"	
4.	Parini Shah for Singhi & Co.	"	"	

ORDER

Learned Senior Advocate Mr. Mihir Joshi with Learned Advocate Mr. Sandeep Singhi with Learned Advocate Mr. Pranjal Buch with Learned Advocate Ms. Parini Shah present for Petitioner.

Affidavit of Chairman filed.

Report of Chairman filed.

Proof of service of notice on statutory authorities filed.

Representation of Competition Commission of India received.

Representation of SEBI received.

Letter from Regional Director received seeking time for filing representation. It appears that RD wrote a letter to Assistant Solicitor General enclosing the original representation and requesting to appear before this Tribunal but none appeared on behalf of RD. The representation of RD is not filed before this Tribunal.

Representation of Official Liquidator received.

Representation of Department of Telecommunication received.

Letter from Income Tax Authority received seeking time to file representation.


No representation received from RBI.

Heard arguments of learned Counsel for Petitioner.

The presumption laid down under section 230(5) of Companies Act, 2013 can only be invoked when there is total silence on the part of statutory authorities that received notices. When there is representation from statutory authorities seeking time it is just to grant time to such statutory authorities. In view of the letters received from RD and Income Tax department this Tribunal is of a view that time can be extended for filing their representations.

Petitioner is directed to serve a copy of this order on Regional Director and Income Tax department by speed post, as well as by mail and by hand with a direction to file their representation, if any, within one week and shall file proof of service of notice.

List the matter on 15.11.2017 for filing representation of Regional Director and Income Tax department.


BIKKI RAVEENDRA BABU
MEMBER JUDICIAL

Dated this the 07th day of November, 2017.