National Company Law Tribunal

Allahabad Bench

CP NO.25/ND/2004

ATTENDENCE-CUM-ORDER SHEET OF THE HEARING OF ALLAHABAD BENCH OF THE NATIONAL COMPANY LAW TRIBUNAL ON 03 .08 .2017

NAME OF THE COMPANY: Shree Narayan Developers Pvt Ltd.

SECTION OF THE COMPANIES ACT: U/S

Sl. NO. Signature	Name	Designation	Representation
1.			
2.			

CP NO.25/ND/2004

Sh. Nesar Ahmad, PCS for the petitioner. Advocate Sh. Satyendra, for the respondent company. The petitioner counsel files CA No.142/2017 informing such the name of the company now stands struck off and a gazette notification in this respect has also been issued by the Government of India on 3rd July, 2017, striking the name of company from the Registrar of the ROC, Kanpur. The name of the respondent company finds place at serial no.2619 in the list of companies published in the gazette. Keeping in view of such statutory position it can be legally infer that company is not now in its legal existence. Further, a remedy is always open to a party concern to approach appropriate forum/competent court of law for seeking restoration of the name of company. However, a question arises for consideration of this of this Tribunal, whether the present proceedings can be allowed to continued further and be kept pending or otherwise the legal dissolution of the respondent company. Such issue to be dealt with in accordance with law and after hearing the submission of the learned counsel of both the parties. The counsel for the respondent no.2 Raj Narayan Singh is granted liberty to file reply to the present application moved by the petitioner. Further, it is matter of record that in the present matter respondent no.3 to 9 are not present. Since long their status is as of absentee. Hence, they can be granted liberty to oppose the present application. However, at this stage the respondent counsel proposed to file vakalatnama on their behalf. He is at liberty to do so.

The matter be listed on 30th August, 2017

Sd

Dated:03.08.2017   Sri H.P. Chaturvedi, Member (Judicial)

Typed by:
Kavya Prakash