

National Company Law Tribunal

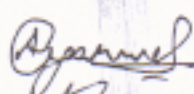

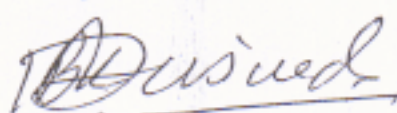
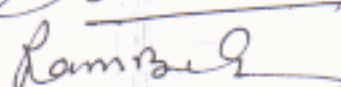
Allahabad Bench

CP NO. 19/ND/2007

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING OF ALLAHABAD BENCH OF THE NATIONAL COMPANY LAW TRIBUNAL ON 22.12.2017

NAME OF THE COMPANY: Ram Babu vs Target Construction Pvt Ltd

SECTION OF THE COMPANIES ACT/I & B CODE: 397/398 of the Companies Act of 1956

<u>Sl. NO.</u>	<u>Name</u>	<u>Designation</u>	<u>Representation</u>	<u>Signature</u>
1.	Amitabh Agarwal	Advocate	Applicant	
2.	Vinod Tewari	Advocate	Applicant	
3 -	B.K. Dwivedi	FCS	R-3	
4 -	RAMBABU	<u>CP No.19/ND/2007</u> Petitioner		

Sh. Amitabh Agarwal, proxy for Dr. Pawan Jaiswal, PCMA on behalf of petitioner. Sh. B.K. Dwivedi, PCS for the respondent no.3. No representation from the other respondents' side since long, despite proper notice.

Today, the case is fixed for comment/report of the Commissioner in respect of State of Affairs of the respondent company.

Further, the Ld. Commissioner Ms. Monica Nanda, PCS states that because of her some personal difficulty and non-availability of her colleague Commissioner, she is not able to complete the task assigned. Therefore, the Commissioner seeks discharge from such assignment.

Considering such request, the Commissioner/PCS Ms. Monica Nanda along with Ms. Rafat Aquil are hereby discharged.

In view of this, the Court is required to appoint a fresh Commissioner to complete the inspection work of company's record and to submit a report on the status of the respondent company as going concern.

In view of this, we make a request with the office of the Ld. Advocate General, State of UP at High Court of Allahabad to depute a Govt. Standing Counsel

preferably Dr. Y.K. Srivastava the Chief Standing Counsel, UP Govt. to be a member of the Committee of Commissioner. Further, we make similar request with the O/o Ld. Additional Solicitor General for Union of India at High Court of Allahabad to nominate a Central Govt. Standing Counsel representing the ROC, Kanpur to be a member of this team of the Commissioner for the purpose of making inspection of Company's statutory record/documents and to submit its report on the present status of the respondent company, whether it is a going concern or otherwise.

In addition to the above, the office of ROC, Kanpur and the OL, Allahabad shall provide all necessary assistance by deputing their representative with the team of Commissioner to complete the task assigned, preferably within four weeks. The petitioner is directed to pay an honorarium of Rs.25,000/- each (Rupees Twenty Five Thousand) to the Ld. Commissioner and further to bear their Administrative expenses. The team of Commissioner is directed to submit report preferably by four weeks from the receipt of the copy of this order.

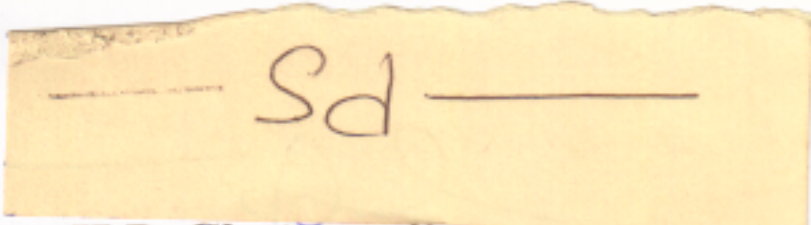
A copy of this order be also forwarded to the office of the Ld. Advocate General, State of UP, Allahabad High Court, O/o Ld. Additional Solicitor General of India at Allahabad High Court for information. Further, as a copy of this order be communicated to the District Magistrate, Allahabad with request to provide necessary cooperation/Security, if required, by the Ld. Commissioner, considering the position of law and order that may arises in the present matter.

A copy of this order be also communicated to the ROC, Kanpur and the OL, Allahabad for information and follow up action.

The matter to be listed on 30th January, 2018.

Dated:22.12.2017

Typed by:
Jyoti
(Stenographer)


H.P. Chaturvedi,
Member (Judicial)