

**NATIONAL COMPANY LAW TRIBUNAL  
BENGALURU BENCH  
COURT NO.1**

ATTENDANCE CUM ORDER SHEET OF THE HEARING OF NATIONAL COMPANY LAW TRIBUNAL,  
BENGALURU BENCH, BENGALURU, HELD ON 11.01.2018.

PRESENT: 1. Hon'ble Member(J) **Shri Ratakonda Murali**  
2. Hon'ble Member(T) **Dr. Ashok Kumar Mishra**

| C.P. No. or<br>C.A. No. | T.P. No. | Purpose                            | Section  | Name of the Parties<br>M/s. / Mr.                               |
|-------------------------|----------|------------------------------------|----------|---|
| CP 49/13                | TP 48/16 | For filing<br>written<br>arguments | 397/ 398 | Arun kumar & Anr. Vs. Blue Mercury<br>Apparels P. Ltd. & 2 Ors. |

SL. NAME (IN CAPITAL)  
NO. & PHONE NUMBER

REPRESENTATION TO WHOM

SIGNATURE

CK Nandakumar  
Raghuram  
Chandrabir

Respondents

**ORDER**

Counsel for Petitioner is absent. No representation for Petitioner. Counsel for Respondent is present. He has filed Memo seeking clarification from the Tribunal and enclosed order copy of the R.D. which was passed on Application moved under Section 13(4) of the Companies Act, 2013. Counsel has also enclosed copy of order of this Tribunal in I.A 07/16. We have seen both the orders.

This Tribunal has power conforming to call for Extra Ordinary General Meeting for passing resolution for shifting the Registered Office of the Company from the State of Karnataka to the State of Tamil Nadu. This order of Tribunal in I.A 07/16 is in pursuant to the Resolution passed in the Extra Ordinary General Meeting. The Company has moved with the R.D under Section 13(4) of the Companies Act, 2013 seeking permission for shifting the Registered Office of the Company from the State of Karnataka to the State of Tamil Nadu. This Tribunal never imposed any condition for approval of any request made by the Company for shifting the Registered Office of the Company from the State of Karnataka to the State of Tamil Nadu. Therefore, there is no need for this Tribunal to confirm the order of the R.D who granted permission for shifting the Registered Office of the Company from the State of Karnataka to the State of Tamil Nadu. We hereby clarify that, there is no need for this Tribunal to pass any order of confirmation, since power has given to the R.D who is representing Central Government under Section 13(4) of the Companies Act, 2013 for grant of permission for shifting. This Tribunal makes it clear that, there is no need to confirm for the order passed by R.D for shifting the Registered Office of the Company from the State of Karnataka to the State of Tamil Nadu. Memo is accordingly disposed. Main matter is listed for final hearing on 26/02/2018.

Member (T)

Member (J)