

**CP NO. 66/2016**

M/s Hind Inn and Hotels Ltd.

...Petitioner.

Present: Ms. Riya Bansal, Advocate for petitioner.

Ms. Eshna Kumar, Advocates for depositors at Sr. No 87 of Annexure IX.

Mr. Alok Kumar Jain and Mr. Sandeep Saini, Advocates for depositors at Sr. No 75, 76, 111, 208 and 211 of Annexure IX.

Mr. Manjit Singh Bhatia, depositor in person at Sr. No. 251 of Annexure IX.

Ms. Surinder Kaur, depositor in person at Sr. No. 253 of Annexure IX.

Ms. Surinder Talwar, depositor in person at Sr. No. 179 of Annexure IX.

Ms. Renu Agnihotri, depositor in person at Sr. No. 305, 313 and 502 of Annexure IX.

Ms. Namrata Sharma, depositor in person at Sr. No. 630 of Annexure IX.

Mr. Sanjay Kalia, depositor in person at Sr. No. 631 of Annexure IX.

Ms. Rajni Sharma, depositor in person at Sr. No. 171 of Annexure IX.

Ms. Krishanjit Kaur, depositor in person at Sr. No. 72, 177, 70, 326, 331, 339, 317 and 318 of Annexure IX.

Mr. Harmeet Singh, depositor in person at Sr. No. 323 of Annexure IX.

Ms. Shashi Soni, depositor in person at Sr. No. 71, 77, 78, 255 and 298.

Mr. Alok Kumar Jain, Mr. Sandeep Saini and Ms. Eshna Kumar, Advocates have filed Memo of Appearance for some of the depositors. The Power of Attorney be filed by the next date. Mr. Manjit Singh Bhatia depositor at Sr. No. 147, 190, 250 and 251 of Annexure IX has filed four objections to the prayer made in the instant petition. Copy be supplied to the counsel opposite. The petitioner counsel seeks time to file affidavit in proof of sending notices to the depositors by registered post and attach acknowledgement dues with the affidavit and also the copy of newspaper advertisement of such notices by the next date.

It was directed on 05.10.2016 that the petitioner would take Dasti notices to be served upon the Registrar of Companies and the Regional Director but the compliance has not been made. Learned counsel for petitioner states that Registrar of Companies and Regional Director were served notices for hearing on 28.09.2016. But the Registrar of Companies, Chandigarh who was supposed to file report in terms of sub-rule 7 of Rule 73 of the NCLT Rules, 2016 in consultation with the Regional Director, has not made compliance. It be directed that the Registrar of Companies, Chandigarh would file the necessary report in terms of the above rule by 29.11.2016. However, fresh notices of hearing be issued to the respondents i.e. Registrar of Companies, Chandigarh and the Regional Director through the Registrar of Companies for the next date.

The learned counsel for petitioner states that the officers of the company, as per the list of the officers already supplied, shall not leave the country without prior permission of the Tribunal and would not dispose of the fixed assets of the company. Let this undertaking be faithfully complied.

The learned counsel for petitioner would file reply to the objections already filed by the depositors. Request is made for other depositors to file objections. Let the same be filed by the next date.


The petitioner company is also directed to file affidavit by the next date as to whether the company has filed with the Registrar of Companies the statement of all the deposits accepted by the company before the commencement of Companies Act, 2013 and the sums remaining unpaid on



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such account, as required by clause (a) of Section 74 (2) of the Companies Act within three months of the commencement of the Companies Act, 2013.

The matter be now listed for 29.11.2016.

  
(R P Nagrath)  
Member (Judicial)

November 15, 2016

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Reply of ROC (P. & Chd.)  
has been done  
20.10.16.  
N. J. J.  
Deputy Registrar