

CP NO. 65/2016

M/s Hind Motors India Ltd.

...Petitioner.

Present: Ms. Riya Bansal, Advocate for petitioner.
Mr. Alok Kumar Jain with Mr. Sandeep Saini, Advocates for depositors at Sr. No. 66, 67, 69, 70, 224, 275, 529, 530, 554, 578, 51, 196, 582, 583, 584, 603, 604, 605, 617 and 618 of Annexure XIII.
Mr. Parveen Gupta, Advocate for depositors at Sr. No. 585, 329, 477, 470, 656, 657, 330 and 522 of Annexure XIII.
Mr. Rohit Kaura, Advocate for Dr. Manmohan Kaur depositor at Sr. No. 4 and 24 of Annexure XIII.
Ms. Eshna Kumar, Advocates for depositors at Sr. Nos. 213 and 302 of Annexure XIII.
Mr. Rajinder Pal Singh Kang, depositor in person at Sr. No. 54, 55, 59, 61 of Annexure XIII.
Ms. Surinder Kaur, depositor in person at Sr. No. 52, 57, 58, 166, 365 and 368 of Annexure XIII.
Mr. Sumit Soni, depositor in person at Sr. No. 495 of Annexure XIII.
Ms. Shashi Soni, depositor in person at Sr. No. 249 of Annexure XIII.
Ms. Harpreet Kaur depositor in person at Sr. No. 145, 420, 421, 422, 428, 437 and 588 of Annexure XIII.
Ms. Kiranjeet Kaur, depositor in person at Sr. No. 146 of Annexure XIII.
Mr. Manjit Singh Bhatia, depositor in person at Sr. No. 144, 158 and 268 of Annexure XIII.
Mr. Tavjot Singh, depositor in person at Sr. No. 159 of Annexure XIII.
Mr. Kanwal Mohan Singh Jaggi, depositor in person at Sr. No. 340 and 601 of Annexure XIII.
Ms. Harleen Jaggi, depositor in person at Sr. No. 129 and 130 of Annexure XIII.
Ms. Arshleen Jaggi, depositor in person at Sr. No. 128 of Annexure XIII.
Mr. S.K. Agnihotri, depositor in person at Sr. No. 635 of Annexure XIII.
Mr. Raghav Agnihotri, depositor in person at Sr. No. 633 of Annexure XIII.
Mr. Param Puneet Singh, depositor in person at Sr. No. 157, 435, 370, 504, 408 and 409 of Annexure XIII.
Ms. Maneet Kaur, depositor in person at Sr. No. 286, 423, 424, 503 and 600 of Annexure XIII.



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Ms. Namrata Sharma, depositor in person at Sr. No. 264 of Annexure XIII.

Ms. Ritu Sharma, depositor in person at Sr. No. 296 of Annexure XIII.

Mr. Sandeep Bhalla depositor in person at Sr. No. 531 and 532 of Annexure XIII.

Mr. Paras Bhalla, depositor in person at Sr. No. 490, 491 and 492 of Annexure XIII.

Mr. Jorawar Singh, depositor in person at Sr. No. 499, 500, 430, 179 of Annexure XIII.

Mr. Krishanjit Kaur, depositor in person at Sr. No. 93, 625 and 18 of Annexure XIII.

Mr. Harmeet Singh, depositor in person at Sr. No. 345, 417 and 488 of Annexure XIII.

Mr. Alok Kumar Jain, Mr. Sandeep Saini, Mr. Parveen Gupta, Mr. Rohit Kaura and Ms. Eshna Kumar, Advocates have filed Memo of Appearance for some of the depositors. Mr. Manjit Singh Bhatia depositor at Sr. Nos. 144, 158 and 268 of Annexure XIII has filed three objections to the prayer made in the instant petition. Mr. S K Agnihotri, a depositor at Sr. No. 635 has also filed the objections. Copy be supplied to the counsel opposite. The petitioner counsel seeks time to file affidavit 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 in

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consultation with the Regional Director who was supposed to file report in terms of sub-rule 7 of Rule 73 of the NCLT Rules, 2016 has not made compliance. It be directed that the Registrar of Companies, Chandigarh would file the report as per the rules by 29.11.2016.

The learned counsel for petitioner submits 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 also not dispose of the fixed assets. 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 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.

R P Nagrath
(R P Nagrath)
Member (Judicial)

November 15, 2016

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Report of Roc (Pb & chd.)
has been received on
19.10.16. *Mysil*
Dep. Dy. Regs. Mem.