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**BEFORE THE NATIONAL COMPANY LAW TRIBUNAL  
HYDERABAD BENCH, AT HYDERABAD**

**C.A. No. 23/CB OF 2015**

**(TP No. 140/HDB/2016)**

**Date of Order: 14.09.2016**

Between:

1. Lewek Altair Shipping Pvt. Ltd.  
D. No. 3-16-193/1, Sri Vidya Colony,  
Suryaraopeta, Kakinada,  
Andhra Pradesh-533003
  2. Mr. Kian Soo Lee, Director (DIN: 033445153)  
238, Orchard Boulevard #09-05  
Singapore – 237973
  3. Mr. Adarash Kumar A/L Chiranjilal Amarnath, Director  
DIN: 03606101  
No.5555-C, Klebang Besar  
Melaka, Malaysia
- ..... Applicants.

AND

The Registrar of Companies,  
Andhra Pradesh and Telangana  
2<sup>nd</sup> Floor, Corporate Bhawan  
GSI Post, Tattiannaram Village  
Nagole, Bandlaguda  
Hyderabad- 500068

..... Respondent



Counsel for the Applicant:

..... Mr. Ajay S. Shrivastava  
Practising Company Secretary

**CORAM:**

**The Hon'ble Mr. RAJESWARA RAO VITTANALA, MEMBER (JUDL)**

**The Hon'ble Mr. RAVIKUMAR DURAISAMY, MEMBER (TECH)**

**ORDER**

**(AS PER Mr. RAJESWARA RAO VITTANALA, MEMBER (JUDL))**

1. The Application was initially filed before the Hon'ble Company Law Board, Chennai Bench, Chennai. Since the National Company Law Tribunal (NCLT), Hyderabad Bench, has been constituted for the cases pertaining to the states of Andhra Pradesh and Telangana, the case is transferred to the Hyderabad Bench of NCLT. Hence, we have taken the case on records of NCLT, Hyderabad Bench and deciding the case.
2. The present Application has been filed by the Lewik Altair Shipping Private Limited and two of its Directors namely Mr. Kian Soo Lee and Adarash Kumar A/L Chiranji Lal Amarnath under Section 621A read with Sec. 166 and Section 168 of the Companies Act, 1956 and Regulation 14 of the Company Law Board Regulations, 1991 by praying to condone the delay of 325 days in holding the First Annual General Meeting and absolve the Company and its Directors from the penalties under Section 168 of the Companies Act, 1956.





3. We have heard Shri. Ajay. S. Shrivastava, learned Practising Company Secretary for the Applicants. The learned Practising Company Secretary for the applicants did not furnish material facts in details for compounding the offence in the application. Therefore, the learned Practising Company Secretary wanted to withdraw the present application with a liberty to file a fresh Company Application by seeking the relief as sought in the present application. In view of the above circumstances, the present Company application is disposed off with a liberty to the applicants to file a fresh application by incorporating all material facts.

Sd/-

**RAVIKUMAR DURASAMY**  
**MEMBER (TECHNICAL)**

Sd/-

**RAJESWARA RAO VITTANALA**  
**MEMBER (JUDICIAL)**

**CERTIFIED TO BE TRUE COPY  
OF THE ORIGINAL**

*V. Annapoorna*  
**V. ANNA POORNA**  
**Asst. DIRECTOR**  
**NCLT, HYDERABAD - 68**

