

BEFORE THE NATIONAL COMPANY LAW TRIBUNAL
HYDERABAD BENCH: AT HYDERABAD

C.A. No.78/2(41)/CB/2015
(TP No.128/HDB/2016)

Date of Order:05.09.2016.

In the matter of
M/s Mithra Kyokuto Special Purpose
Vehicle Company Private Limited,
(Represented by:
Sri Maganti Venkata Srinivas,
Whole Time Director, DIN 00345687.
P.B. No.443, Gudavallivari Street,
Governorpet, Vijayawada,
Andhra Pradesh – 520 002.

...Applicant

Counsel for Applicant

...Sri Y. Venkateswara Rao,
Practicing Company Secretary
(PCS)

CORAM

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

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

ORDER

(As per Rajeswara Rao Vittanala, Member (J))

1. This application was initially filed before the Company Law Board, Chennai Bench, Chennai. Since the NCLT Bench has been constituted for the cases relating to the States of Andhra Pradesh and Telangana, the case is transferred to Hyderabad Bench. Hence, we have taken the case on records of NCLT, Hyderabad Bench and deciding the case.
2. This application has been filed U/s 2(41) of the Companies Act, 2013 for maintaining the Financial year from January to December being a Joint Venture Company, by praying the Tribunal to consider and to pass suitable orders.
3. Heard Sri Y. Venkateswara Rao, Practicing Company Secretary (PCS), for the applicant.



4. When the case is taken up for hearing today, the Learned PCS submitted a letter addressed to the Bench, which reads as under:

"The Company has filed a petition with the Company Law Board, Chennai Bench on 9th day of July, 2015 seeking an Order for maintaining the financial year from 1st day of January to 31st day of December under Section 2(41) of the Companies Act, 2013 to consolidate the Financial Statements of the Company with the financial statements of its Holding Company.

Later on, the Board of Directors of the applicant Company changed the decision and decided to maintain the financial year from 1st day of April to 31st day of March of the every year and passed a Board Resolution in this regard at the Board Meeting held on Wednesday the 5th day of May, 2016 by extending the financial year for 3 months from the 1st day of January 2016 to 31st day of March, 2016, hence this financial year will be 15 months from 1st day of January 2015 to 31st day March, 2016 and the same was informed to Registrar of Companies by filing Form GNL-1 vide SRN:G04080966 dated 26th day of May 2016 with Registrar of Companies, Andhra Pradesh and Telangana"

Hence, the applicant wants to withdraw the present application. So, the present application is disposed of as withdrawn.

RAVIKUMAR DURAISAMY
MEMBER (TECHNICAL)

RAJESWARA RAO VITTANALA
MEMBER (JUDICIAL)