

**IN THE NATIONAL COMPANY LAW TRIBUNAL
HYDERABAD BENCH AT HYDERABAD**

CA 167/Rule 15 r/w Rule 11/HDB/2017
Under Rule 15 R/w Rule 11 of NCLT Rules, 2016

In the matter of:

MNR Research Conventions Private Limited
2-23 B/350, Bhagyanagar-PH-III
Addagutta NearHMT Hills Comm Hall
Kukatpally, Hyderabad - 500085

.. Applicant Company

Date of Order: 06.11.2017

CORAM:

Hon'ble Shri.Rajeswara Rao Vittanala, Member (Judicial)
Hon'ble Shri.Ravikumar Duraisamy, Member (Technical)

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OF THE ORIGINAL

Parties/Counsels Present:

For the Applicant :

Mr. L.Dhanamjay Reddy, PCS

Per: Rajeswara Rao Vittanala, Member (Judicial)

ORDER

1. The present Company Application bearing CA No.167/Rule 15 r/w Rule 11/HDB/2017, is filed by MNR Research Conventions Private Limited, under Rule 15 r/w Rule 11 of NCLT Rules, 2016, by inter-alia seeking to condone the delay in delivering the order passed by the Hon'ble High Court of Judicature at Hyderabad in CP No, 195 of 2016, in filing the copy of the order in Form INC-28 with Registrar of Companies (RoC) within a period of 30 days.
2. Heard Shri L. Dhanamjay Reddy, Learned PCS for the Applicant Company. He submits that the Hon'ble High Court, vide common order dated 18.08.2016 passed in CP No. 194 & 195 of 2016, sanctioned the Scheme of merger as approved by the Companies, with a further direction to the Companies to communicate certified copy of this order to the Registrar of Companies within



30 days from the date of receipt of the copy of the order. The learned PCS submits that the certified copy of the said order was received on 27.09.2016, and the due date of 30 days to file the order was 26.10.2016.

3. However, the same could not be filed within the stipulated time since the Applicant Company was under the impression that order copy to be submitted to the RoC in Form No. INC 28, after payment of stamp duty for transfer of undertaking from Transferor Company to Transferee Company. Accordingly the Applicant Company has applied to the Inspector General of Registration Department for adjudication of stamp duty. Finally, the Company has obtained the Certificate under Bombay's Stamp Act 1958 on 10.03.2017 for payment of stamp duty and the Company Filed Form No. INC-28 on 04.09.2017, vide SRN: G51994028.

4. Therefore, the Learned PCS submit that the delay in filing the certified copy with RoC is purely unintentional and is not wanton and happened due to circumstances as explained above.

5. We have perused copy of the order and, also pleadings and material papers filed in support of the Application, and we are convinced that the Applicant has shown sufficient cause to condone the delay of 312 days in filing the copy of the order with RoC. Hence, we condone delay, however, subject to payment of cost of Rs.50,000/- each by the Transferor / Transferee Companies to the Government of India, Ministry of Corporate Affairs, within 3 weeks from today.

In the result, Company Application bearing CA No.167/Rule 15 r/w Rule 11/HDB/2017 is allowed, by granting 3 weeks' time to pay cost of Rs. 50,000/- each by the Transferor / Transferee Companies. On receipt of payment, RoC is directed to take on record INC-28 filed on 04.09.2017 vide SRN: G51994028 and communicate the same to the Applicant.



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OF THE ORIGINAL**

प्रमाणित प्रति
CERTIFIED TRUE COPY
केस संख्या
CASE NUMBER. CA 167/11/HDB/2017
निर्णय का तारीख
DATE OF JUDGEMENT. 6-11-2017
प्रति तैयार किया गया तारीख
COPY MADE READY ON. 6-11-2017

[Signature]
Jy. Regr./Asst. Regr./Court Officer
National Company Law Tribunal, Hyderabad Bench

[Signature]
RAVIKUMAR DURAISAMY
MEMBER (TECHNICAL)

[Signature]
RAJESWARA RAO VITTANALA
MEMBER (JUDICIAL)