

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

CA No.67/252/HDB/2017
U/s 252 of the Companies Act, 2013

In the matter of

Tecons Oleum India Limited,
Registered office at 8-3-319/16, Yellareddyguda,
Hyderabad – 500073,
Telangana.

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

...Applicant

Versus

Registrar of Companies, Hyderabad,
For Andhra Pradesh and Telangana
2nd Floor, Corporate Bhawan, GSI Post
Near Indu Aranya, Tattiannaram,
Nagole, Bandlaguda,
Hyderabad – 500068,
Telangana.



...Respondent

Order Pronounced on: 16.10.2017

CORAM

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

Parties / Counsel present

For the Applicant : Dr. S.V. Rama Krishna
Shri K. CH. Venkat Reddy (PCS)

Per: Ravikumar Duraisamy, Member (Technical)

ORDER

1. The Present Company Application bearing CA. No. 67/252/HDB/2017, is filed by Tecons Oleum India Limited under section 252 of the Companies Act, 2013, on 11.08.2017, by inter-alia, seeking to restore the name of the Company in the Register of Companies under Section 252 of Companies Act, 2013. Further grant us time for filing Closure of the Company in Form STK-2 along with requisite Attachments and allow us to make the Company Comply with the provisions of Companies Act, 2013.

2. **Brief facts mentioned in Application:**

i. The Applicant Company was incorporated on 28.03.1994 in the State of Telangana bearing CIN No: U23201TG1994PLC017260. The Authorized share capital of the company is Rs. 30,00,000/- (Rupees Thirty Lakh only) divided into 3,00,000/- (Three Lakh Only) equity shares of Rs. 10/- (Rupees Ten Only) each. The current issued, subscribed and paid up capital of the company is Rs. 25,00,000/- (Rupees Twenty Five Lakh only) divided into 2,50,000/- (Two Lakh Fifty Thousand Only) equity shares of Rs. 10/- (Rupees Ten Only) each.

ii. The main objects for which the company was incorporated, as given in the Memorandum of Association are as under:

To carry on and undertake the business of manufacturing producing, processing, refining, buying, selling, manufacturing, importing, exporting crude oil, petrochemicals, allied downstream products, plastics, PVC rubber and other allied products and derivative.



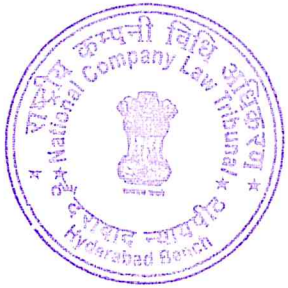
To buy, sell, deal-In the machinery, equipment, material, and things used or capable of being used in the manufacturing of petrochemical based products.

To provide project consultancy on turnkey basis on otherwise and to carry on the business of designing, developing, manufacturing, marketing all kinds of materials used in petrochemical Industry and to obtain patent and other rights therefore.

iii. It is submitted by Applicant that due to some operational issues Company couldn't carry on the business and couldn't file ROC Annual Filings within Stipulated time. However, the company has decided to close the company and it was found that the Registrar of Companies has strike off the name from the Register of Companies.

iv. Thus this Company Application is filed by the Applicant with the intention to get the name of the Company restored in the Register of Companies in order to close the Company by following required procedure under Companies Act, 2013.

3. The case was listed on 30.08.2017, as none appeared the case was posted on 01.09.2017.
4. During the hearing held on 01.09.2017, Shri K.CH.Venkat Reddy (PCS) was heard for the Applicant and he was directed to comply with the all the objections raised by the Registry and also directed to take personal notice to ROC and submit proof on the next date of hearing. The case was posted on 18.09.2017.
5. During the hearing held on 18.09.2017, the case was admitted and Learned Counsel for the Applicant was directed to take personal notice to ROC and submit proof on the next hearing. The ROC is directed to furnish their report on or before the next date of hearing and the case was posted on 16.10.2017.



6. On 16.10.2017, Dr. S.V. Rama Krishna along with Shri K. CH. Venkat Reddy (PCS) the Ld. Counsels for the Applicant submitted that on 03.10.2017, the Applicant has filed a Memo of withdrawal of Application U/s 252 of the Companies Act, 2013 to rectify the defects. The Memo stated:

“It is humbly submitted that the Applicant/Petitioner has filed the above Company Application u/s 252 of the Companies Act, 2013 aggrieved by the Notice No. ROC(H)/248(5)/STK-7/2017 dated the 21st July, 2017 issued u/s 248 (5) of the Companies Act, 2013 by the Registrar of Companies at Hyderabad for the state of Andhra Pradesh and Telangana. The matter was listed for hearing on 18th September, 2017. As there are some inadvertent errors in pleadings, it is very humbly prayed that this Hon’ble Tribunal may permit the Applicant/Petitioner to withdraw the above CA with liberty to file afresh with appropriate pleadings, in the interest of justice.”

7. In the facts and circumstances of the case and the aforesaid memo filed by the Applicant Company, the Applicant Company is permitted to withdraw the Company Application bearing CA No.67/252/HDB/2017, with a liberty to the Applicant to file a fresh Company application in accordance with law after complying with all the provisions of law and the objections raised by the Registry.
8. No order as to costs.

Sd/-
RAVIKUMAR DURASAMY
MEMBER (TECHNICAL)

Sd/-
RAJESWARA RAO VITTANALA
MEMBER (JUDICIAL)

for Dy. Regr./Asst. Regr./Court Officer/
National Company Law Tribunal, Hyderabad Bench

प्रमाणित प्रति
CERTIFIED TRUE COPY
केस संख्या
CASE NUMBER *CA No. 67/252/HDB/2017*
निर्णय का तारीख
DATE OF JUDGEMENT *16-10-2017*
प्रति तैयार किया गया तारीख
COPY MADE READY ON *21-11-2017*