

IN THE NATIONAL COMPANY LAW TRIBUNAL : NEW DELHI  
COURT-III

CP-16/171/ND/2017

IN THE MATTER OF:

M/s. Mandakani Coal Co. Ltd

.. PETITIONER

**SECTION :**

Under Section 441 32/33

Order delivered on 31.8.2017

Coram :

R. VARADHARAJAN,  
Hon'ble Member (Judicial)

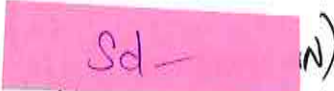
For the Petitioner/Applicant : Mr. Himanshu Harsola, Advocate

For the Respondents : -

ORDER

Learned Counsel for the petitioner is present. It is represented that application has been filed for compounding of offence under Section 441 of the Companies Act, 2013 for alleged non-compliance of Section 96. However, in view of the judgment rendered by the Hon'ble NCLAT in M/s. Cinepolis India Pvt. Limited & Ors. Vs. ROC, NCT of Delhi & Haryana in Company Appeal (AT) No.80/137/2017 dated 29.8.2017, the applicant is directed to file an affidavit to the effect that no prosecution has been launched or pending before the appropriate Magistrate in the Criminal Court/Economic Offences Court by ROC, NCT of Delhi & Haryana. For this purpose, a week's time is granted.

Post the matter on 13.9.2017.

  
(R. VARADHARAJAN)  
MEMBER (JUDICIAL)

Surjit  
31.8.2017

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