

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

Company Appeal (AT) No. 113 of 2018

IN THE MATTER OF:

Magnon Interactive Private Limited & Ors. ...Appellants

Vs.

**The Registrar of Companies,
NCT of Delhi & Haryana ...Respondent**

Company Appeal (AT) No. 114 of 2018

IN THE MATTER OF:

Magnon Interactive Private Limited & Ors. ...Appellants

Vs.

**The Registrar of Companies,
NCT of Delhi & Haryana ...Respondent**

Company Appeal (AT) No. 115 of 2018

IN THE MATTER OF:

Magnon Interactive Private Limited & Ors. ...Appellants

Vs.

**The Registrar of Companies,
NCT of Delhi & Haryana ...Respondent**

Company Appeal (AT) No. 116 of 2018

IN THE MATTER OF:

Magnon Solutions Private Limited & Ors. ...Appellants

Vs.

**The Registrar of Companies,
NCT of Delhi & Haryana ...Respondent**

Company Appeal (AT) No. 117 of 2018

IN THE MATTER OF:

Magnon Solutions Private Limited & Ors.

...Appellants

Vs.

**The Registrar of Companies,
NCT of Delhi & Haryana**

...Respondent

Company Appeal (AT) No. 118 of 2018

IN THE MATTER OF:

Magnon Solutions Private Limited & Ors.

...Appellants

Vs.

**The Registrar of Companies,
NCT of Delhi & Haryana**

...Respondent

Present: For Appellants: - Mr. Pankaj Jain and Mr. Mohit Chaurasia, Advocates.

O R D E R

18.04.2018- The questions arise for consideration in these appeals are:

- i. Whether joint application under Section 441 of the Companies Act, 2013 can be filed by the Company and its Directors/Officers for compounding the offences?
- ii. Whether separate applications are required to be filed under Section 441 of the Companies Act, 2013 for

compounding offences taken place during different financial years?

2. It has come to our notice that in a number of cases different Tribunals are passing orders under Section 441 of the Companies Act, 2013 in joint applications filed by the Company and its Directors/Officers as also joint applications for different financial years. The present impugned order appears to be in conflict with the other orders passed by one or other Tribunal.

3. Let notice be issued on Respondent by speed post. Requisite along with process fee, if not filed, be filed by 20th April, 2018. If the Appellants provide the e-mail address of the Respondent, let notice be also issued through e-mail.

Post these appeals on 4th May, 2018 before a Larger Bench.

(Justice S.J. Mukhopadhaya)
Chairperson

(Justice Bansi Lal Bhat)
Member(Judicial)

Ar/uk