

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

Company Appeal (AT) No. 195 of 2017

IN THE MATTER OF:

R.A.P. Garments Pvt. Ltd.

...Appellant

Vs

ROC, Delhi & Haryana

...Respondent

Present: For Appellant: - Ms. Sakshi Rajput, Advocate

For Respondent: - None

O R D E R

30.06.2017 The appellant has challenged order dated 20th April, 2017 passed by the Principal Bench of National Company Law Tribunal, New Delhi in Company Petition No. 461 of 2014. By the impugned order, the Tribunal while allowed the petition preferred by the appellant under Section 560(6) of the Companies Act, 1956 for restoration of the name of the appellant company, the said order has been passed subject to payment of Rupees Five Lacs to the respondent towards defray costs and expenses.

Learned counsel appearing on behalf of the appellant submits that the financial position of the company is not good, and, therefore, no cost should be imposed. However, there is nothing on record to suggest that the company is in loss. In the facts and circumstances of the case and in the absence of any infirmity in the impugned order, we are not inclined to interfere with the same.

The appeal is accordingly dismissed. No orders as to costs.

(Justice S.J. Mukhopadhaya)
Chairperson

(Balvinder Singh)
Member (Technical)